# CHAPTER 10-14. DEFINITIONS

#### DIVISION 10-14-001. PURPOSE

#### 10-14-001-0001. PURPOSE:

The purpose of this Chapter is to define words, terms, and phrases contained within this Ordinance.

# DIVISION 10-14-002. WORD USAGE

#### 10-14-002-0001. WORD USAGE:

In the interpretation of this Ordinance, the provisions and rules of this Section shall be observed and applied, except when the context clearly requires otherwise:

- A. Words used or defined in one tense or form shall include other tenses and derivative forms.
- B. Words in the singular number shall include the plural number, and words in the plural number shall include the singular number.
- C. The masculine gender shall include the feminine, and the feminine gender shall include the masculine.
- D. The word "shall" is mandatory.
- E. The word "may" is permissive.
- F. The word "person" includes individuals, firms, corporations, associations, trusts, and any other similar entities.
- G. The word "City" shall mean the City of Flagstaff, Arizona.
- H. The phrase "Board of Adjustment" shall mean the City of Flagstaff Board of Adjustment.
- I. The word "Council" shall mean the City of Flagstaff City Council.
- J. The words "Planning Commission" shall mean the City of Flagstaff Planning and Zoning Commission.
- K. The word "Recorder" shall mean the County Recorder of Coconino County.
- L. In case of any difference of meaning or implication between the text of this Ordinance and any caption, illustration, or table, the text shall control.

# DIVISION 10-14-003. ABBREVIATIONS

# **10-14-003-0001.** ABBREVIATIONS:

The following abbreviations are used in this Ordinance and are intended to have the following meanings:

ac acre

ARS Arizona Revised Statutes BC building coverage

bldg building

DBH diameter at breast height

den density du dwelling unit

dua or du/a dwelling units per acre

ft feet

min.

GD gross density **GFAR** gross floor area ratio linear feet or footage 1f landscape surface ratio LSR

maximum max.

multi- or multiple family mf minimum

net density ND **NFAR** net floor area ratio OSR open space ratio square feet sq. ft. or sf. SF or S.F. single-family

(Ord. 1997, 6-15-99)

#### DIVISION 10-14-004. DEFINITIONS

#### 10-14-004-0001. **DEFINITIONS:**

When used in this Ordinance, the following terms shall have the meanings herein ascribed to them:

**ABANDONMENT.** The discontinuation of use for a period of six (6) months.

ABUTTING. Having a common border with, or being separated from such common border by an alley or easement, other than publicly dedicated and approved rights-of-way.

**ACCESS.** A means of vehicular or nonvehicular approach or entry to or exit from property, a street, or highway.

ACCESS, SECONDARY. A means of vehicular or nonvehicular approach or entry to or exit from property from other than a public street or highway (such as an alley). This is not necessarily meant to include a second access that might be required for developments.

# ACCESSORY BUILDING OR STRUCTURE. An accessory building or structure is one which:

- 1. Is subordinate to and serves a principal building or principal use; and
- 2. Is subordinate in building area, intensity of use, or purpose to the principal building or principal use served; and
- 3. Contributes to the comfort, convenience, and necessity of the occupants of the principal building or principal use served; and
- 4. Is located on the same zoning lot as the principal building or principal use served, with the single exception of accessory off-street parking facilities that are permitted to locate elsewhere; and
- 5. Is prohibited prior to the establishment of the primary use except where authorized by the Zoning Administrator.

ACCESSORY DWELLING UNIT (ADU). A subordinate living unit added to, created within, or detached from a single-family dwelling that provides basic requirements for independent living, sleeping, eating, cooking and sanitation. (Ord. 2007-20, 3-20-07)

**ACCESSORY SIGN.** A permanent on-premise sign that is normally located adjacent to a public right-of-way, or near various points of passage on or within private property. (Ord. 1946, 6-17-97)

**ACCESSORY USE.** A subordinate use of a building, other structure, or use of land which is:

1. Clearly incidental to the use of the main building, other structure, or use of land; and

- 2. Customarily in connection with the main building, other structure, or use of land; and
- 3. Located on the same lot with the main building, other structure, or use of land.

**ACCESSORY WIND ENERGY SYSTEM.** A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of 10 KW (kilowatts) or less to be used primarily for on-site consumption. (Ord. 2009-03, 01-20-2009)

**ACRE.** Forty Three Thousand Five Hundred Sixty (43,560) square feet of land area.

ACREAGE, GROSS. Ground area, including all proposed and existing streets within a development or subdivision.

**ACREAGE, NET.** The remaining ground area after deleting all portions for proposed and existing streets within a development or subdivision.

**ACTIVE RECREATION.** Recreational and support facilities uses, areas, and activities that do not impede the flow of floodwaters and are oriented toward potential competition and involving special equipment. Playgrounds, sports fields and courts, swimming pools, skating rinks, tennis facilities, and golf courses are examples of active recreation uses.

**ADJACENT.** Nearby, but not necessarily touching or abutting.

**ADULT ENTERTAINMENT.** This definition includes the following terms and definitions: (Ord. 2008-03, 02-05-2008)

**ADULT ARCADE.** Any place to which the public is permitted or invited and in which coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image producing devices are maintained to show images involving specific sexual activities or specific anatomical areas to persons in booths or viewing rooms.

**ADULT BOOKSTORE.** A commercial establishment that offers for sale, rent or viewing any of the following as one of its principal business purposes:

- Books, magazines, periodicals or other printed matter, photographs, films, motion pictures, videocassettes, electronic or magnetic storage medium, including but not limited to any hard disk, floppy disk, diskette, disk pack, DVD, CD ROM, hologram, magnetic tape or cards or other similar photographic reproductions, or reproductions or slides or other visual representations that depict or describe specific sexual activities or specific anatomical areas.
- Instruments, devices or paraphernalia that are designed for use in connection with specific sexual
  activities excluding condoms, diaphragms, contraceptive inserts, contraceptive medications and
  other birth control or disease prevention devices prescribed by a licensed medical doctor or
  osteopathic doctor; or
- 3. Regularly excludes all minors from the premises or a separate defined section thereof because of the sexually explicit nature of the items sold, rented or displayed.

A commercial establishment may have other business purposes that do not involve the offering for sale or rental of material depicting or describing specific sexual activities or specific anatomical areas and still be categorized as an adult bookstore, adult video store or adult novelty store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult bookstore, adult video store, or adult novelty store.

**ADULT CABARET** excludes any establishment licensed under Arizona Revised Statutes, title 4, and includes any nightclub, bar, restaurant or other similar commercial establishment that regularly features:

1. Persons who appear in a state of nudity or who are seminude.

- 2. Live performances that are characterized by the exposure of specific anatomical areas or specific sexual activities.
- 3. Films, motion pictures, videocassettes, slides or other photographic reproductions that are characterized by the depiction or description of specific sexual activities or specific anatomical areas.

Nothing in the definition of adult cabaret shall be construed to apply to the presentation, showing or performance of any play, drama or ballet in any theater, concert hall, fine arts academy, school, institution of higher learning or other similar establishment as a form of expression or opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purposes of advancing the economic welfare of a commercial or business enterprise.

**ADULT CINEMA.** An enclosed building or open-air theatre used on a regular basis for presenting for viewing by customers or commercial patrons pictorial materials or other visual images by way of direct or indirect projections, or through coin or slug operated or electrically, electronically, or mechanically controlled still or motion picture, video-tape machines, or other image-producing devices maintained to show images or material, a predominance of which is principally distinguished or characterized by an emphasis on the depiction of "specified sexual activities" or "specified anatomical areas," in return for the payment of any form of consideration or gratuity, irrespective of the number of patrons who may be able to view the presentation at any one time.

**ADULT LIVE ENTERTAINMENT ESTABLISHMENT.** A nightclub, bar, restaurant, theater, or other establishment or enterprise that features any of the following:

- 1. Persons who appear in a state of nudity; or
- 2. Live performances that are characterized by the exposure of specific anatomical areas or by specific sexual activities;
- Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of specific sexual activities or specific anatomical areas.

Nothing in the definition of adult live entertainment establishment shall be construed to apply to the presentation, showing, or performance of any play, drama, or ballet in any theater, concert hall, fine arts academy, school, institution of higher education, or other similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purpose of advancing the economic welfare of a commercial or business enterprise.

### ADULT HOTEL OR MOTEL. A hotel, motel or similar commercial establishment which:

- 1. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, video reproductions, slides, or other reproductions offered in photographic, electronic, magnetic, digital or other imaging medium or other visual presentations which are distinguished or characterized by "specific sexual activities' or "specific anatomical areas" as one of its principal business purposes; or
- 2. Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
- 3. Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.

**ADULT MOTION PICTURE THEATER.** A commercial establishment in which for any form of consideration films, motion pictures, video cassettes, slides, plate negative film, plate positive film or tape designed to be projected on a screen for exhibition, glass slides or transparencies, either in negative or

positive form, designed for exhibition by projection on a screen, or images from an on-site or off-site electronic or magnetic storage medium, including but not limited to any hard disk, floppy disk, diskette, disk pack, DVD, CD ROM, hologram, magnetic tape or cards or other similar photographic reproductions or any other device capable of creating a display on a screen or other viewing media that are characterized by the depiction or description of specific sexual activities or specific anatomical areas are predominantly shown. Nothing in the definition of adult motion picture theater shall be construed to apply to the presentation, showing or performance of any play, drama or ballet in any theater, concert hall, fine arts academy, school, institution of higher learning or other similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purposes of advancing the economic welfare of a commercial or business enterprise.

**ADULT-ORIENTED BUSINESS.** The existence, operation, opening or commencement of, or the conversion of an existing business to, or the addition to any other existing business of, or the relocation of any of the following: adult arcades; adult bookstores or video stores or novelty stores; cabarets; adult live entertainment establishments; adult motion picture theaters; adult theaters; massage establishments that offer adult service; escort agencies that offer adult service; sexual encounter centers; erotic dance or performance studios; adult motels or nude model studios.

**ADULT-ORIENTED BUSINESS MANAGER.** A person on the premises of an adult-oriented business who is authorized to exercise overall operational control of the business.

ADULT NOVELTY STORE. See Adult bookstore.

**ADULT SERVICE.** Adult service includes dancing, serving food or beverages, modeling, posing, wrestling, singing, reading, talking, listening or other performances or activities conducted for any consideration in an adult-oriented business by a person who is nude or seminude during all or part of the time that the person is providing the service.

**ADULT SERVICE PROVIDER** or **EROTIC ENTERTAINER** means any natural person who provides an adult service.

**ADULT THEATER.** A theater, concert hall, auditorium or similar commercial establishment that predominantly features persons who appear in a state of nudity or who engage in live performances that are characterized by the exposure of specific anatomical areas or specific sexual activities. Nothing in the definition of adult theater shall be construed to apply to the presentation, showing or performance of any play, drama or ballet in any theater, concert hall, fine arts academy, school, institution of higher learning or other similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purposes of advancing the economic welfare of a commercial or business enterprise

ADULT VIDEO STORE. See Adult bookstore.

**CABARET.** An adult-oriented business licensed to provide alcoholic beverages pursuant to Arizona Revised Statutes, title 4, chapter 2, article 1.

**DISCERNIBLY TURGID STATE.** The state of being visibly swollen, bloated, inflated or distended.

**EROTIC DANCE OR PERFORMANCE STUDIO.** A business which emphasizes and seeks, through one or more dancers or other performers, to arouse or excite the patrons' sexual desires. Nothing in the definition of erotic dance or performance studio shall be construed to apply to the presentation, showing, or performance of any play, drama, or ballet in any theater, concert hall, fine arts academy, school, institution of higher education, or other similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purpose of advancing the economic welfare of a commercial or business enterprise.

**EROTIC ENTERTAINER.** See Adult Service Provider.

**ESCORT.** A person who for consideration agrees or offers to act as a companion, guide or date for another person or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

**ESCORT AGENCY.** A person or business association that furnishes, offers to furnish or advertises the furnishing of escorts as one of its primary business purposes for any fee, tip or other consideration.

MASSAGE ESTABLISHMENT. An establishment in which a person, firm, association or corporation engages in or permits massage activities, including any method of pressure on, friction against, stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of external soft parts of the body with the hands or with the aid of any mechanical apparatus or electrical apparatus or appliance. A massage establishment shall also include any bathing establishment operated in conjunction with the business. This paragraph does not apply to:

- 1. Physicians licensed pursuant to Arizona Revised Statutes, title 32, chapter 7, 8, 13, 14 or 17.
- 2. Registered nurses, licensed practical nurses or technicians who are acting under the supervision of a physician licensed pursuant to Arizona Revised Statutes, title 32, chapter 13 or 17.
- 3. Persons who are employed or acting as trainers for a bona fide amateur, semiprofessional or professional athlete or athletic team.
- 4. Persons who are licensed pursuant to Arizona Revised Statutes, title 32, chapter 3 or 5 if the activity is limited to the head, face or neck.

**NUDE MODEL STUDIO.** A place in which a person who appears in a state of nudity or who displays specific anatomical areas is observed, sketched, drawn, painted, sculptured, photographed or otherwise depicted by other persons who pay money or other consideration. Nude model studio does not include a proprietary school that is licensed by this state, a college, community college or university that is supported entirely or in part by taxation, a private college or university that maintains and operates educational programs in which credits are transferable to a college, community college or university that is supported entirely or in part by taxation or a structure to which the following apply:

- 1. A sign is not visible from the exterior of the structure and no other advertising appears indicating that a nude person is available for viewing;
- 2. A student must enroll at least three days in advance of a class in order to participate; and
- 3. No more than one nude or seminude model is on the premises at any time.

#### **NUDE/NUDITY/STATE OF NUDITY.** Includes any of the following:

- 1. The appearance of the cleft of the buttocks, a human anus, genitals or female breast below a point immediately above the top of the areola.
- 2. A state of dress that fails to opaquely cover the cleft of the buttocks, a human anus, genitals or female breast below a point immediately above the top of the areola.

**PLACE OF WORSHIP.** A structure where persons regularly assemble for worship, ceremonies, rituals and education relating to a particular form of religious belief and which a reasonable person would conclude is a place of worship by reason of design, signs or architectural or other features.

**PRINCIPAL BUSINESS PURPOSES.** Means that a commercial establishment meets any one or more of the following criteria:

- 1. That has thirty percent (30%) or more of its inventory, stock, or merchandise on hand at any time that is comprised of items listed under the definition for an Adult Bookstore; or
- 2. That derives thirty percent (30%) or more of its gross income for any one calendar month from the sale or rental, for any form of consideration, of the items listed under the definition for an Adult Bookstore; or
- 3. That at any time displays items listed under the definition for an Adult Bookstore either in a display area that is thirty percent (30%) or more of its total display area or on a floor area equal to at least 200 square feet. For purposes of calculating the floor area, the business premises shall be viewed from above in two dimensions and all areas that are reserved for foot traffic shall be included; or
- 4. Which regularly excludes minors from the premises because of the sexually explicit nature of the items sold, rented or displayed on the business premises.

**SEMINUDE.** A state of dress in which clothing covers no more than the genitals, pubic region and female breast below a point immediately above the top of the areola, as well as portions of the body that are covered by supporting straps or devices.

**SEXUAL ENCOUNTER CENTER.** A non-medical business or commercial enterprise, which offers for any form of consideration:

- 1. Activities between persons when one or more of the persons is in a state of nudity;
- 2. The matching and/or exchanging of persons for specific sexual activities;
- 3. Activities between persons when one or more of the persons is in a state of nudity for the purpose of engaging or attempting to engage in specific sexual activities; or
- 4. Physical contact between persons, when one or more of the persons is in a state of nudity in the forms of tumbling, wrestling or other similar activities for the purpose of engaging or attempting to engage in specific sexual activities.

# **SPECIFIC ANATOMICAL AREAS.** Means any of the following:

- 1. A human anus, genitals, pubic region, cleft of the buttocks or a female breast below a point immediately above the top of the areola that is less than completely and opaquely covered; or
- 2. Human genitals in a discernibly turgid state even if completely and opaquely covered.

# **SPECIFIC SEXUAL ACTIVITIES.** Means any of the following:

- 1. Human genitals in a state of sexual stimulation or arousal;
- 2. Sex acts, normal or perverted, actual or simulated, including acts of human masturbation, sexual intercourse, oral copulation or sodomy.
- 3. Fondling or other erotic touching of the human genitals, pubic region, buttocks, anus or female breast; or
- 4. Urinary or excretory functions as part of or in connection with any of the activities described in sub-paragraphs 1., 2., or 3. of this paragraph.

**AFFORDABLE RESIDENTIAL USES.** For affordable rental units, those units affordable to households earning between thirty percent (30%) and ninety percent (90%) of the HUD Area Median Income. For for-sale units, those

units affordable to households earning between fifty percent (50%) and one hundred fifteen percent (115%) of the HUD Area Median Income. (Ord. 1997, 6-15-99)

**AGGREGATE SIGN AREA.** The sum of the measurement of all signs of a specified type. (Ord. 1946, 6-17-97)

**AGRICULTURE.** The tilling of the soil, raising of crops, horticulture, small livestock farming, dairying, and/or pasture and range livestock production, including all uses customarily incidental thereto, but not including slaughter houses, fertilizer yards, or plants for the reduction of animal matter or any other industrial use which is similarly objectionable because of noise, odor, smoke, dust, or fumes.

**AIRSPACE HEIGHT.** Height limits in the Airport Overlay (AO) District. As set forth in this Ordinance, the elevation data shall be above mean sea level elevation (AMSL) unless otherwise specified.

**AISLE OR AISLEWAY.** The traveled way by which cars and other vehicles enter and depart parking spaces, but not including streets or alleys. (Ord. 1997, 6-15-99)

**ALLEY.** A recorded public passage or way affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

**ALTERATION.** Any change in size, shape, character, occupancy, or use of a building or structure.

**ANCHOR STORE.** An exterior perimeter department store or major merchandising center having direct access to a mall but having all required exits independent of a mall.

**ANIMAL HOSPITAL.** A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to care incidental to the hospital use. (See Veterinary Hospital) (Ord. 2002-15, 11-05-02)

**ANIMAL SHELTER.** A facility used to house or contain stray, homeless, abandoned, or unwanted animals and that is owned, operated, or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of animals. (Ord. 2002-15, 11-05-02)

**ANIMATION, SIGN.** A sign, or any portion of a sign, made or equipped to move or give the appearance of moving, either by the movement of any light used in conjunction with a sign, such as blinking traveling, flashing, or changing degree of intensity, or by mechanical means, or movement of the air. (Ord. 1946, 6-17-97)

**APARTMENT.** A dwelling unit contained in a building comprised of four (4) or more dwelling units. (Ord. 2007-20, 3-20-07)

**APPEAL.** A means for obtaining review of a decision, determination, order, or failure to act pursuant to the terms of this Ordinance as expressly authorized by the provisions of Chapter 10-10.

APPLICANT. Any person who files an application with the City for a building permit. (Ord. 2008-28, 11-18-08)

**APPROPRIATION OR TO APPROPRIATE.** An action by the City to provide specific public facilities funded by development fees. Appropriation shall include, but shall not necessarily be limited to: execution of a contract or other legal instrument for construction of a capacity-enhancing public facility using development fee funds in whole or in part; and/or actual expenditure of development fee funds through payments made from a development fee account. (Ord. 2008-28, 11-18-08)

**AREA MEDIAN INCOME.** Area Median Income is a number set by the United States Department of Housing and Urban Development based on a variety of factors and representing wages and earnings in the community. Area Median Income is relative to family size and community dynamics. (Ord. 2007-20, 3-20-07)

**AREA OF SPECIAL DESIGNATION.** A geographical area or site, indicated within the ordinance providing for special sign regulations. (Ord. 1946, 6-17-97)

**ARCHAEOLOGICAL RESOURCES.** Any material remains of past human life or activities which are of historic or pre-historic significance. Such material includes, but is not limited to, pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, skeletal remains, or any piece of any of the foregoing items.

**ARCHITECTURAL FEATURE.** A balcony, canopy, column, door, eave, roof, soffit, window, wing wall, or similar three-dimensional exterior element of a building or structure that lends to the overall exterior form, context

and appearance of the building or structure. (Ord. 1946, 6-17-97)

**ATTENTION GETTING DEVICE.** Any caricature, or other animated or illuminated object used for the purpose of eliciting notice to itself to advertise a business establishment, product, service, or entertainment. Such attention getting devices may include but are not limited to costumed characters, stuffed animals, fixed aerial displays, and strings of lights or other forms of illumination. (Ord. 1946, 6-17-97)

ATTIC. That part of a building which is immediately below and wholly or partly within the roof framing.

**AUGMENTED WIND TURBINE.** A building mounted turbine that is mounted in the horizontal plane specifically designed to take advantage of winds blowing over the edge or pitch of a roof. (Ord. 2009-03, 01-20-09)

**AUTHORIZED AGENT.** A person or firm duly authorized by the property owner to submit applications on his, her, their, or its behalf.

**AUTOMOBILE REPAIR** All activities involving automobile repair, except top, body and upholstery repair and body painting, and except tire retreading and repair. ((Ord. 1741, 3/17/92)

**AUTOMOBILE SERVICE STATION.** An establishment providing sales of vehicle fuel and such services as lubrication, oil and tire changes, and minor repairs. This use does not include paint spraying or body repair, automobile top or upholstery repair, or tire retreading and repair. (Ord. 1741, 3/17/92)

**AUXILIARY BUILDING ELEVATION.** A section of a building elevation which does not contain the primary entrance to a business establishment, but which may be parallel to a street frontage. (Ord. 1946, 6-17-97)

AWNING. An architectural feature that:

- a. Projects from, and is totally supported by, the exterior wall of a building;
- b. Provides protection from the elements to pedestrians below, or to occupants within the building;
- c. Is usually positioned above a window or door;
- d. is temporary in that, whether stationary or retractable, it can be removed from the building without altering the building structure. (Ord. 1946, 6-17-97)

**AWNING/CANOPY SIGN.** A sign which is printed, painted, or affixed to an awning or canopy. (Ord. 1946, 6-17-97)

**BANNER.** A sign which is painted or displayed upon a sheet composed of fabric, pliable plastic, paper or other non-rigid material, fastened to the exterior of a building or exterior structure, other than a flag pole. This definition does not include a "flag". (Ord. 1946, 6-17-97)

**BASEMENT.** A portion of a building located partially underground, having less than fifty (50) percent of its clear floor-to-ceiling height above grade. For a more through explanation of "basement", see the Uniform Building Code. (Ord. 1997, 6-15-99)

BASE SITE AREA. See Section 10-04-004-0003.

**BED AND BREAKFAST ESTABLISHMENT.** The use of a single residential structure for commercial lodging purposes, which structure is occupied by the owner. Up to four (4) bedrooms may be used for this purpose, with additional paved parking required at the rate of one (1) space per two (2) bedrooms used for this purpose. (See Chapter 10-03.) A bed and breakfast establishment is a home occupation. (Ord. 1997, 6-15-99)

**BEDROOM.** A room in a residence marketed, designed, or likely to function primarily for sleeping.

**BILLBOARD.** A sign designated for use with changing copy which may include but is not limited to goods produced or services rendered or sold at locations other than the premises on which the sign is located. (Ord. 1946, 6-17-97)

**BOARDING/ROOMING HOUSE OR DORMITORY.** A private establishment that provides sleeping rooms for rent for set terms, generally by the week or month, in which meals may be provided on a communal basis, but in

which cooking is prohibited in individual sleeping rooms.

**BUFFERYARD.** A unit of land, together with a specified type and amount of planting thereon, and any structures, which may be required between zoning districts and/or land uses to eliminate or minimize conflicts between them. (See Division 10-06-003.)

**BUILDING.** A structure built, maintained, or intended to be used for the shelter or enclosure of persons, animals, or property of any kind. The term is inclusive of any part thereof. Where independent units with separate entrances are divided by party walls, each unit is a building.

BUILDING, ACCESSORY. See "Accessory Building or Structure."

BUILDING COVERAGE. That portion of a lot covered by any and all buildings including accessory buildings.

**BUILDING FRONT.** That exterior wall of a building which faces the front lot line.

**BUILDING FRONTAGE.** The maximum lineal dimension of an exterior wall, excluding canopies and projections, measured on a straight line parallel to the site's street frontage. (Ord. 1946, 6-17-97)

**BUILDING HEIGHT.** The vertical distance from the finished floor elevation of the lowest floor of the building, any portion of which floor is at or above finish grade, to the highest point of coping of a flat roof, or the top of a mansard roof, or the height of the highest gable of the pitch of a hip roof, including all appurtenances and projections above the roof. For hillside developments, basements and garages at basement level may be excluded from the measurement of building height. (Ord. 1997, 6-15-99)

**BUILDING LINE.** A line on a lot, generally parallel to a lot line or road right-of-way line, located a sufficient distance there from to provide the minimum yards required by this Ordinance. The building line limits the area in which buildings are permitted subject to all applicable provisions of this Ordinance. This is also referred to as a "setback."

**BUILDING MOUNTED SIGN.** Any sign which is fastened, attached, connected or supported in whole or in part by a building, or architectural feature. (Ord. 1946, 6-17-97)

**BUILDING MOUNTED WALL SIGN.** A sign attached to, painted on, or erected against the wall, parapet, fascia, or mansard roof or a building or structure with the exposed face of the sign in a plane parallel to the vertical face of the building or structure. (Ord. 1946, 6-17-97)

**BUILDING OFFICIAL.** Chief of Building Inspectors or his representatives.

**BUILDING, PRINCIPAL.** A building in which is conducted, or in which is intended to be conducted, the main or principal use of the lot on which it is located.

**BUILDING, TEMPORARY.** A structure designed, built, created or occupied for a short and/or intermittent periods of time, including tents, inflatable structures, lunch wagons, dining cars, trailers, and other roofed structures on wheels or other supports used for residential, business, mercantile, storage, commercial, industrial, institutional, assembly, educational or recreational purposes. For the purpose of this definition, "roof" shall include an awning or other similar covering whether or not it is permanent in nature.

**BULK.** Standards that control the height, density, intensity and location of structures. (See Chapter 10-05.)

**CALIPER.** A measurement of the size of a tree taken six (6) inches from above ground level for trees up to and including four (4) inch caliper sizes, and twelve (12) inches above ground level for larger trees.

**CAMPGROUNDS.** Commercial, for-profit campgrounds, recreational vehicle parks, or a mix of the aforementioned uses. (See Sections 10-03-002-0005.J. and 10-03-0002.B.)

CANOPY, NON-STRUCTURAL. See Awning. (Ord. 1946, 6-17-97)

**CANOPY, STRUCTURAL.** An architectural feature that:

- a. Projects from, and is the exterior wall of a building or by a combination of a building wall and support posts;
- b. Provides protection from the elements to pedestrians below, or to occupants within the building;
- c. Is usually positioned above a window or door;
- d. Is permanent in that it is not retractable and cannot be removed from the building without altering the building face or structure. (Ord. 1946, 6-17-97)

**CARETAKER'S RESIDENCE.** A dwelling unit which is used exclusively by either the owner, manager, or operator of a principal permitted use and which is located on the same parcel as the principal use.

**CARPORT.** An open building, the principal use of which is the storage of motor vehicles, at least two (2) sides of which are at least fifty (50) percent open.

**CELLAR.** A portion of a building located partially underground having more than fifty (50) percent of its clear floor-to-ceiling height below grade.

**CERTIFICATE OF OCCUPANCY.** An official authorization to occupy a structure as issued by the Community Development Director.

**CHANGE OF USE.** See Use, Change of. (Ord. 1741, 3/17/92)

**CHANGEABLE COPY SIGN.** A sign that is designed so that characters, letters, numbers, or illustrations can be manually or mechanically changed or rearranged without altering the face or surface of the sign. (Ord. 1946, 6-17-97)

**CHURCH.** A building or structure, or groups of buildings or structures, which by design and construction are primarily intended for the conducting of organized religious services and accessory uses associated therewith. (Ord. 1997, 6-15-99)

CITY. The City of Flagstaff, Arizona.

**CITY STANDARDS.** The design, performance, and construction standards and specifications which are current and on file with the City Clerk.

**CITY/SUBDIVIDER AGREEMENT.** An agreement entered into between the City and a subdivider which sets forth the obligations of the City and of the subdivider, including, but not limited to, construction and maintenance of improvements, dedication of land for public use, payment of surety and assessment of development fees.

**CLASS 1 LIGHTING.** All outdoor lighting used for, but not limited to, outdoor sales or eating areas, assembly or repair areas, advertising and other signs, recreational facilities and other similar applications where COLOR RENDITION IS IMPORTANT to preserve the effectiveness of the activity.

**CLASS 2 LIGHTING.** All outdoor lighting used for, but not limited to, illumination for walkways, roadways, equipment yards, parking lots, and outdoor security where GENERAL ILLUMINATION for safety or security of the grounds is the primary concern.

**CLASS 3 LIGHTING.** Any outdoor lighting used for DECORATIVE effects including, but not limited to, architectural illumination, flag and monument lighting, and illumination of trees, bushes, etc.

**CLEAR VIEW ZONE.** The triangular volume defined by the distances along the edges of the intersecting roadways shown in the table of Illustrations 10-07-003-0005 A and 10-07-003-0005 B of Chapter 10-07, and extending from three (3) feet to ten (10) feet above the elevation of the nearest edge of pavement, or lip of gutter if curb is present.

CLUSTER. See "CLUSTER DEVELOPMENT". (Ord. 1997, 6-15-99)

**CLUSTER DEVELOPMENT.** A development that contains single-family detached dwelling units with common open space designed to conform to the performance standards of Chapter 10-04 as permitted by Chapter 10-03.

**COLOR.** Any distinct tint, hue, or shade including white, black, or gray.

**COLORS, NIGHT-BRIGHT.** For the purposes of the Land Development Code, colors identified as "night-bright", shall be based upon the Gerber Scientific Products GSP 230 Scotchcal Translucent Film Specguide which provides color swatches of vinyl products available for Plexiglas sign faces. Individual colors identified on the aforementioned Specguide as white #230-20; Ivory #230-005; and Yellow #230-015, or comparable colors provided by other sign vinyl suppliers, shall be deemed as "night-bright" colors. Colors not shown on the Specguide or product information of other sign vinyl suppliers which include but are not limited to pale grey, baby blue, or light pink, etc., shall also be considered to be "night-bright" colors. Such colors shall be used in accordance with Chapter 10-08. (Ord. 1946, 6-17-97)

COMMERCIAL RETAIL. See Section 10-03-002-0005.B.

COMMERCIAL SERVICES. See Section 10-03-002-0005.D.

**COMMERCIAL VEHICLE.** Any motor vehicle used for business or institutional purposes or having painted thereon or affixed thereto a sign identifying a business or institution or a principal product or service of a business or institution. Agricultural equipment used as part of a permitted agricultural principal use shall not be considered as a commercial vehicle.

**COMMISSION.** The Planning and Zoning Commission of the City of Flagstaff.

**COMMON AREA.** Land in a residential development held in common and/or single ownership and not reserved for the exclusive use or benefit of an individual tenant or owner.

**COMMON BUILDING ENTRANCE.** In a multi-tenant and/or multi-storied building, an entrance leading to two or more uses which share a single exterior entrance, or to a common lobby, atrium, patio and/or elevator foyer. (Ord. 1946, 6-17-97)

**COMMUNITY DEVELOPMENT DIRECTOR.** The Director of Community Development for the City of Flagstaff, Arizona.

**COMPREHENSIVE SIGN PROGRAM.** A specific set of design standards established for the purpose of unifying a variety of signs associated with a multi-tenant or multi-use building or complex of buildings. The design standards may include but are not limited to, letter and logo sizes, letter style, colors, texture, lighting methods, sign type and architectural features. (Ord. 1946, 6-17-97)

**CONDOMINIUM.** Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners. Condominiums are governed by ARS Title 33, Chapter 9, Articles 1 through 4, Section 33-1201 et seq. (Ord. 1997, 6-15-99)

CONFORMING USE. See "USE, AUTHORIZED". (Ord. 1997, 6-15-99)

**CONGREGATE RESIDENCE.** Any building or portion thereof which contains facilities for living, sleeping and sanitation, as required by this Ordinance, and may include facilities for eating and cooking, for occupancy by other than a family. A congregate residence may be a convent, monastery, dormitory, fraternity or sorority house but does not include jails, hospitals, nursing homes, hotels or lodging houses.

**CONSTRUCTION.** Any or all work or operations necessary or incidental to the erection, demolition, assembling, installing, or equipping of buildings, or any alterations and operations incidental thereto. The term "construction" shall include land clearing, grading, excavating, and filling and shall also mean the finished product of any such work or operations.

**CONSTRUCTION, START OF.** The excavation of or installation of foundation footings or grading other than for the installation of materials for road construction.

**CONTIGUOUS.** In contact with one (1) or more sides.

**COUNCIL.** The City Council of the City of Flagstaff.

**COVERED RETAIL MALL BUILDING.** A single building enclosing a number of tenants and occupancies such as retail stores, drinking and dining establishments, entertainment and amusement facilities, offices, and other similar uses wherein multiple retail tenants have a main entrance into one or more mall(s).

**DAY.** A calendar day; "working day" means the days Monday through Friday, not including holidays recognized by the City Council.

**DAY CARE CENTER.** A facility that regularly provides day care for less than twenty-four (24) hours per day for eight (8) or more persons in a facility other than a residence. Day care includes child care and elderly care. (Ord. 2007-20, 3-20-07)

**DAY CARE HOME.** A home occupation in any dwelling established consistent with state of Arizona requirements which receives no more than eight (8) children for less than twenty-four (24) hours per day. The maximum number of eight (8) children shall be reduced in number by the number of children residing in the dwelling under the age of fourteen (14). (Ord. 2007-20, 3-20-07)

**DAY-NIGHT AVERAGE SOUND LEVEL (LDN).** A basic measure for quantifying noise exposure, namely: the A-weighted sound level averaged over a twenty-four (24) hour time period, with a ten (10) decibel penalty applied to nighttime (10:00 p.m. to 7:00 a.m.) sound levels.

**DEDICATION.** The transfer of property interests from private to public ownership for a public purpose. The transfer may be of fee simple interest or of a less than fee simple interest, including an easement.

**DENSITY**, **GROSS** (**GD**). The quotient of the total number of dwelling units divided by the base site area of a site.

**DENSITY, NET (ND).** The quotient of the total number of dwelling units divided by the net buildable site area on a site.

**DESIGN.** Street alignment, grades, and widths; alignment and widths of easements for water drainage, sanitary sewers, and water lines; and the arrangement and orientation of lots.

**DEVELOPER.** The legal or beneficial owner(s) of a lot or parcel of any land proposed for inclusion in a development, including optionee or contract purchaser.

**DEVELOPMENT.** The carrying out of any building activity, the making of any material change in the use or appearance of any structure or land, or the dividing of land into parcels by any person. The following activities or uses shall be taken for the purposes of these regulations to involve "development":

- 1. A reconstruction, alteration of, or material change in the external appearance of a structure on land or water.
- A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land, or an increase in the number of businesses, manufacturing establishments, or offices.
- 3. Alteration of a shore or bank of a pond, river, stream, lake, or other waterway.
- 4. Commencement of drilling (except to obtain soil samples), mining, or excavation on a parcel of land.
- 5. Demolition of a structure.
- 6. Clearing of land as an adjunct of construction, including clearing or removal of vegetation, any significant disturbance of vegetation, or any soil manipulation.
- 7. Deposit of refuse, solid or liquid waste, or fill on a parcel of land.

The following operations or uses shall not be taken for the purpose of these regulations to involve "development":

- 1. Work by a highway or road agency or railroad company for the maintenance of a road or railroad track if the work is carried out on land within the boundaries of the right-of-way.
- 2. Work by any utility, and other persons engaged in the distribution or transmission of gas or water, for the purposes of inspecting, repairing, renewing, or constructing on established rights-of-way sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like (exclusive of the activities requiring a Conditional Use Permit as per Chapter 10-03.)
- 3. The maintenance, renewal, or alteration of any structure, where only the interior or the color of the structure or the decoration of the exterior of the structure is affected.
- 4. The use of any structure or land devoted to dwelling uses for any purpose customarily incidental to enjoyment of the dwelling.
- 5. A change in the ownership or form of ownership of any parcel or structure.
- 6. Work involving the landscaping of a detached dwelling.
- 7. Work involving the maintenance of existing landscaped areas and existing rights-of-way such as setbacks and other non-natural planting areas.

"DEVELOPMENT" includes all other activity customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the act of development or to the result of development within the City. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of this definition.

**DEVELOPMENT FEE.** A fee adopted pursuant to Arizona Revised Statutes § 9-463.05 which is imposed on new development on a pro rata basis in connection with and as a condition of the issuance of a building permit and which is calculated to defray all or a portion of the costs of the public facilities required to accommodate new development at City-designated level of service ("LOS") standards and which reasonably benefits the new development. (Ord. 2008-28, 11-18-08)

**DEVELOPMENT MASTER PLAN.** A comprehensive conceptual plan for the development of a large or complicated land area, the platting of which is expected in progressive steps as required by the requirements of Division 10-11-007 of the Subdivision Regulations of the City of Flagstaff.

**DEVELOPMENT PAD.** The portion of a lot subject to site disruption from construction activities including construction of principal and accessory buildings, driveways, walkways, loading areas, storage yards, septic or alternative waste disposal areas, and forest removal activities. (See Section 10-05-002-0002.)

**DEVELOPMENT PROJECT.** Any residential, commercial, industrial, or mixed use subdivision plan or development plan which is submitted to the City for approval.

**DEVELOPMENT REVIEW BOARD.** The Development Review Board of the City of Flagstaff. A technical review committee authorized and established by the City Council for the purpose of review and recommendations of subdivision and minor land division applications and other development plans, and which is composed of the following voting members: the Planning Director, the Building and Safety Director, the City Engineer, the Utilities Director, the Public Works Director, and the Fire Chief, or their designated representatives. A non-voting Chairperson is appointed by the City Manager. (Ord. 1997, 6-15-99)

**DEVELOPMENT SITE.** Any plot or parcel of land, or combination of contiguous lots or parcels of land, whether under common ownership or multiple ownership, which constitutes a site on which development is proposed, under construction, or exists. (Ord. 1946, 6-17-97)

**DIAMETER AT BREAST HEIGHT (DBH).** A measurement of the size of a tree equal to the diameter of its trunk measured four and one-half (4-1/2) feet above natural grade.

**DIRECT ILLUMINATION.** Illumination resulting from light emitted directly from a lamp or luminaire, not light diffused through translucent signs or reflected from other surfaces such as the ground or building faces.

**DIRECTOR OF PLANNING.** Director of Planning of the City of Flagstaff or his representatives.

**DIRECTORY SIGN.** A single sign, or a set of similarly designed individual signs placed or displayed in sequence and which may provide information in a list, roster or directory format. (Ord. 1946, 6-17-97)

**DORMITORY.** See "Boarding/Rooming House or Dormitory."

**DRIVE-THROUGH COMMERCIAL ESTABLISHMENT.** A commercial retail or personal service establishment designed or intended to enable a customer in a motor vehicle parked on or moving through the premises to transact business with a person outside the motor vehicle. Such establishments include, but are not necessarily limited to, financial institutions, restaurants, and dry cleaning stores.

**DRIVEWAY.** A private vehicular access connecting a house, carport, parking area, garage, or other buildings with the street.

DUPLEX. See "DWELLING, TWO-FAMILY. (Ord. 1997, 6-15-99)

**DWELLING.** Any building or portion thereof which is designed or used for residential purposes.

DWELLING, MULTIPLE-FAMILY. See "Apartment."

**DWELLING, SECONDARY SINGLE-FAMILY.** An existing detached residential unit in the RML-E or RMM-E Zoning District, secondary in scale and bulk to the primary residence, permitted either as a second unit on an existing lot or on a separate parcel in connection with a Minor Land Division. See Section 10-03-006-0001. (Ord. 1997, 6-15-99)

**DWELLING, SINGLE-FAMILY ATTACHED.** Two (2) or more adjoining dwelling units, each of which is separated from the others by one (1) or more unpierced walls from ground to roof.

**DWELLING, SINGLE-FAMILY DETACHED.** A dwelling designed for and occupied by not more than one (1) family and having no roof, wall, or floor in common with any other dwelling unit.

**DWELLING, THREE-FAMILY (TRIPLEX).** A type of multi-family residential building designed to be occupied by three (3) families living independently of each other. (Ord. 1997, 6-15-99)

**DWELLING, TWO-FAMILY (DUPLEX)**. A residential building designed to be occupied by two (2) families living independently of each other. (Ord. 1997, 6-15-99)

**DWELLING UNIT.** A room or group of rooms providing, or intended to provide, living quarters for not more than one (1) family.

**EASEMENT.** A grant of one or more, but less than all, of the property rights by the property owner to, or for the use by, the public, or another person or entity. (Ord. 1997, 6-15-99)

**ELECTRIC GRID.** The transmission system, managed by Arizona Public Service (APS) created to balance the supply and demand of electricity for consumers in Arizona. (Ord. 2009-03, 01-20-09)

**ELECTRONIC MESSAGE SIGN.** A type of changeable copy sign that uses changing lights to form a sign message or messages, and wherein the sequence of messages and the rate of change is electronically program and can be modified by electronic processes. (Ord. 1946, 6-17-97)

**EMBELLISHMENT.** Structural or decorative elements of a sign incorporating representations of the significant architectural features of the associated building or development. (Ord. 1946, 6-17-97)

**ENGINEER.** Registered professional engineer in the State of Arizona.

**ENGINEERING DESIGN AND CONSTRUCTION STANDARDS AND SPECIFICATIONS.** A set of regulations setting forth the details, specifications, and instructions to be followed in the planning, design, and construction of certain public improvements in the City, formulated by the City Engineer and other City Departments, and approved by the City Council.

**ENGINEERING PLANS.** Maps, plats, profiles, cross-sections, and other required details for the construction of public improvements, prepared by an engineer registered in the State of Arizona in accordance with the approved tentative plat and in compliance with the standards of design and construction approved by the City Council. These plans are distinguished from the preliminary submittals required for tentative plat approval which should also be prepared by a registered surveyor and other appropriate professionals.

**EROSION.** The detachment and movement of soil fragments by water, wind, ice, and/or gravity.

**ESSENTIAL SERVICES.** Facilities owned or maintained by public utility companies or public agencies, located in public ways or in easements provided for the purpose, or on a customer's premises and not requiring a private right-of-way, and reasonably necessary for the furnishing of adequate water, sewer, gas, electric, communication, or similar services to adjacent customers; and not including any cross-country line on towers or in a private right-of-way.

**EXCEPTION.** Any parcel of land which is within the boundaries of a subdivision and minor land division, but which is not being subdivided or divided, and which is noted as such. An exception is not a part of a subdivision or minor land division, and is not a subdivided or split lot.

**EXTERIOR STORAGE.** Outdoor storage of fuel, raw materials, products, and equipment. In the case of lumberyards, exterior storage includes all impervious materials stored outdoors. In the case of truck terminals, exterior storage includes all trucks, truck beds, and truck trailers stored outdoors.

EXTRACTION AND DISPOSAL USE. See Section 10-03-003-0002.F.

# **FAMILY.** A Family is:

- 1. An individual or two (2) or more persons related by blood, marriage, or adoption, and usual servants, living together as a single housekeeping unit in a dwelling unit, or
- 2. A group of not more than eight (8) persons, who need not be related, living together as a single housekeeping unit in a dwelling unit. See also "GROUP HOME". This category does not include institutional uses such as protective living facilities or sheltered care facilities. (Ord. 1997, 6-15-99)

**FARM.** The land, buildings, structures, and machinery which are primarily adapted and used for agricultural purposes.

**FENCE.** Any artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land. This includes walls which are not building walls. (Ord. 1997, 6-15-99)

**FILTERED LIGHT.** Light from a light source that is covered by a glass, acrylic, or other cover that restricts the amount of non-visible radiation (infrared, ultraviolet) emitted by the luminaire (quartz glass does not meet this definition).

**FINAL PLAT.** A map of a land subdivision prepared in a form suitable for filing a record with necessary affidavits, dedications, and acceptances; and with complete bearings and dimensions of all lines defining lots and blocks, streets, and alleys, public areas, and other dimensions. (See Chapter 10-11.)

**FIRE PROTECTION DEVELOPMENT FEE.** A development fee imposed on new residential and non-residential development to fund the proportionate share of the Public Facility costs of buildings and apparatus, including vehicles, trucks, pumpers, water tenders, and other fire protection services, facilities, and equipment, created by new development. (Ord. 2008-28, 11-18-08)

FIXED AERIAL DISPLAY. Any aerial advertising medium which is tethered to the ground.

**FLAG.** A fabric sheet of square, rectangular or triangular shape which is mounted on a pole. This category includes the State, United States, and/or flags of foreign nations. This definition does not include "banner". (Ord. 1946, 6-17-97)

**FLOOD OR FLOODING.** A general and temporary condition of partial or complete inundation of normally dry land areas from the unusual and rapid accumulation or runoff of surface waters of any source and/or the overflow of flood waters.

**FLOOD BOUNDARY FLOODWAY MAP.** The official map, on which the Federal Insurance Administration has delineated both the areas of flood hazard and the floodway, which serves as a basis for the City of Flagstaff Floodplain Regulations as administered by the Floodplain Administrator.

**FLOODPLAIN.** Any normally dry land area that is susceptible to being inundated by water from any source and is the maximum area of land that, on the average, is likely to be flooded once every one hundred (100) years. For the purposes of this Ordinance, floodplain areas shall be considered as one of the following types based on Illustration 10-04-003-0004 of Chapter 10-04.

- 1. Urban Floodplains. Those delineated floodplain areas which are located in developed urban areas of the City of Flagstaff.
- 2. Rural Floodplains. Those delineated floodplain areas which are essentially open space and natural land uses and which are unsuitable for urban development purposes due to poor natural soil conditions and periodic flood inundation.

# FLOODPLAIN ADMINISTRATOR. The City Engineer.

**FLOODPLAIN REGULATIONS.** The Zoning Ordinances, Subdivision Regulations, Building Codes, Health Regulations, Special Purpose Ordinances such as a Floodplain Ordinance, Grading Ordinance, Erosion Control Ordinance, and other applications and extensions of the normal police power.

**FLOOR AREA.** The sum of the gross floor area for each of a building's stories measured from the exterior limits of the faces of the structure. The floor area of a building includes basement floor area. Attic floor area is included only if the attic area meets the City Building Code standards for habitable floor area. Not included are cellars and unenclosed porches or any floor space in an accessory building or in the principal building which is designed for the parking of motor vehicles in order to meet the parking requirements of this Ordinance.

**FLOOR AREA RATIO, GROSS (GFAR).** An intensity measured as a ratio derived by dividing the total floor area of a building or structure by the base site area (or lot area as modified for established development districts.)

**FLOOR AREA RATIO, NET (FAR).** An intensity measured as a ratio derived by dividing the total floor area of a building or structure by the net buildable site area.

**FOREST.** The square footage of the drip line area of one or more tree(s), which trees have a diameter at breast height (DBH) of six (6) inches or more per Chapter 10-04, Section 10-04-003-0006 and Table 10-04-003-0006. (Ord. 1997, 6-15-99)

**FORESTRY.** The science of developing, caring for, or cultivating forests; or the management of growing timber. See Section 10-03-002-0002.B. (Ord. 1997, 6-15-99)

**FRATERNITY HOUSE, SORORITY HOUSE.** A building used as a place of residence for members of a regularly organized college or university group while enrolled at an institution of higher learning.

**FREESTANDING SIGN.** A sign which is erected or mounted on its own self-supporting permanent structure or base detached from any supporting elements of a building. (Ord. 1946, 6-17-97)

**FREESTANDING SUSPENDED SIGN.** A freestanding sign type featuring a double or single sided sign face, hung at a perpendicular angle from a sign pole structure fitted with a projecting sign mount. (Ord. 1946, 6-17-97)

**FRONTAGE.** All the property fronting on one (1) side of a street between the two (2) nearest intersecting streets, excluding alleys and interstate freeways, measured along the line of the street or, if dead-ended, then all of the property abutting on one (1) side between an intersecting street and the dead-end of the street.

**FULLY SHIELDED FIXTURE.** An outdoor light fixture shielded in such a manner that all light emitted by the fixture, either directly from the lamp or indirectly from the fixture, is projected below the horizontal as determined by photometric test or certified by the manufacturer. (Ord. 1997, 6-15-99)

**GARAGE.** A deck or building, or part thereof, used or intended to be used for the parking and storage of motor vehicles.

**GARDEN CENTER.** A place of business where retail and wholesale products are sold to the retail consumer. These centers, which may include a nursery and/or greenhouses, import most of the items sold. Items offered for sale may include plants, nursery products and stock, fertilizers, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm tools, and utensils.

**GARDEN LEVEL.** The floor of a building located more than 50% below average grade with an exterior entry accessing such level. (Ord. 1946, 6-17-97)

**GARDEN PLOT.** An area established for the growing of food for home use. Such areas may be owned by an individual, community association, homeowners' association, or agency.

**GENERAL PLAN.** The City of Flagstaff General Plan text and all accompanying maps, charts, and explanatory material as embodied in the published report titled <u>Growth Management Guide</u>: 2000, <u>City of Flagstaff</u>, <u>Arizona</u> adopted by the City Planning and Zoning Commission on November 25, 1986, and by the City Council on April 7, 1987, pursuant to the Flagstaff Charter, Article XIII, Section 9, and the Arizona Revised Statutes as amended 1986, Sections 9-461 through 9-461.12, and all amendments thereto.

**GREENHOUSE.** An enclosed building, permanent or portable, which is used for the growth of plants.

**GROUP HOME.** A residential facility for eight (8) or fewer unrelated persons providing living facilities, sleeping rooms, and meals. This use shall be considered as a single-family home in Tables 10-03-001-0003 and 10-04-002-0003 and as further regulated by Division 10-03-006. The number listed does not include the operator, members of the operator's family, or persons employed by the operator as staff, except that the total number of persons living in a group home shall not exceed ten (10). This category does not include institutional uses such as protective living or sheltered care facilities. (Ord. 1997, 6-15-99)

**GROWTH MANAGEMENT GUIDE: 2000**. The General Plan of the City, adopted on April 7, 1987 by the City Council, or most current amendment.

**HEAVY RETAIL**, See Retail, Heavy. (Ord. 1741, 3/17/92)

HEIGHT. See "Building Height."

**HELIPORT.** A helistop that also includes all necessary passenger and cargo facilities, helicopter maintenance and overhaul, fueling service, storage, tie-down areas, hangars, and other necessary buildings and open spaces. Heliports include any of the uses of helistops.

**HELISTOP.** An area designated for the landing and taking off of helicopters for the purpose of picking up or discharging passengers or cargo, not including fueling or service facilities.

**HISTORIC SIGN.** A sign that, by its construction materials, unusual age, prominent location, unique design or craftsmanship from another period, makes a contribution to the cultural, historic, or aesthetic quality of the city's streetscape. Historic signs may be landmark signs, ghost signs, porcelain or neon signs, theater marquees, or signs make of three dimensional stainless steel letters, and/or must be of such an age that they are not longer economically viable to produce or manufacture. (Ord. 1946, 6-17-97)

**HOLDING ZONE.** An informal designation for RR and RR-E zoned lands which are not suitable for Very Low Density Residential development, but also not available for more intensive development requiring a zoning change

because of a lack of urban services such as water and sewer systems. These areas are designated in categories other than "VL", Very Low Density Residential on the Land Use Plan of the City's General Plan. (Ord. 1997, 6-15-99)

**HOMELESS SHELTER.** A facility operated by a non-profit organization providing temporary housing and personal assistance to indigent, needy, homeless or transient persons who lack a fixed, regular, and adequate nighttime residence. Such personal assistance must include food and/or shelter, and may in addition include counseling, religious instruction, and other supportive services. (Ord. 2007-20, 3-20-07)

**HOME OCCUPATION.** An occupation, profession, activity, or use that is clearly customary, incidental, and secondary to the use of a dwelling and that does not alter the exterior of the property or affect the residential character of the neighborhood, including but not limited to, home day care for up to eight (8) children, day care for the elderly and the handicapped for up to eight (8) persons. A home occupation does not include pet grooming, sales offices, automobile repairs, commercial stables, massage businesses, or veterinary hospitals or clinics, or other uses that would bring customer traffic into the neighborhood. Some of such uses may be considered as home occupations if the requirements of Section 10-03-006-0001M can be met. (Ord. 2002-15, 11-05-02) (Ord. 2007-20, 3-20-07)

# HORIZONTAL PROPERTY REGIME. See "CONDOMINIUM".

**HORIZONTAL WIND TURBINE.** A pole mounted turbine in which the hub is mounted in a horizontal plane, typically utilizing a three-blade system with or without variable pitch control and with a maximum blade diameter of twenty four (24) feet. (Ord. 2009-03, 01-20-09)

**HOSPITAL.** An institution, place, building, or agency, public or private, whether organized for profit or not, devoted primarily to the maintenance and operation of facilities for the diagnosis and treatment or care of two (2) or more unrelated persons admitted for overnight stay or longer in order to obtain medical treatment, including obstetric, psychiatric, and nursing care of illness, disease, injury, infirmity, or deformity. The term "hospital" also includes:

- 1. Any facility which is devoted primarily to providing psychiatric and related services and programs for the diagnosis and treatment or care of two (2) or more unrelated persons suffering from emotional or nervous illness; and
- 2. All places where pregnant women are received, cared for, or treated during delivery, irrespective of the number of patients received.
- 3. General and specialized hospitals, tuberculosis sanitaria, maternity homes, lying-in-homes, and homes for unwed mothers in which aid is given during delivery.

**HOTEL, MOTEL, RESORT.** A building or group of buildings containing individual rooms or suites of rooms, each having a private bathroom, for the purpose of providing overnight lodging facilities, for periods not to exceed thirty (30) days, to the general public for compensation with or without meals, and which has common facilities for reservations and cleaning services and on-site management. (See Section 10-03-002-0005.G.)

**HOUSING FOR THE ELDERLY.** A building or group of buildings containing dwellings where the occupancy of the dwellings is restricted to persons sixty-five (65) years of age or older, or couples where at least one (1) member of the household is at least sixty-five (65) years old. See also "CONGREGATE RESIDENCE". (Ord. 1997, 6-15-99)

**HUB HEIGHT.** The distance measured from natural or finished grade at the base of the tower to the center of the turbine hub. (Ord. 2009-03, 01-20-09)

**ILLUMINATION INTENSITY.** An expression, in wattage, lumens or foot-candles, or visually perceived brightness from an artificial light source. (Ord. 1946, 6-17-97)

**IMPROVEMENTS.** All types of roadway construction, street lights, street and traffic signs, sidewalks, pedestrian ways, bicycle ways, water lines, sanitary sewers, storm drainage structures, grading, and other community facilities of like nature.

**INDIRECT ILLUMINATION.** A source of external illumination located away from the sign, which lights the sign, but which itself is not visible to persons viewing the sign from any street, sidewalk or adjacent property. (Ord. 1946, 6-17-97)

**INDIVIDUAL.** Any person or his agent, lessee, firm, partnership, association, joint venture, corporation, or agent of the aforementioned groups or the State of Arizona or any agency or political subdivision thereof.

**INDIVIDUAL LETTER.** A cut-out or etched letter or logo which is individually mounted on a landscape screen wall, building wall or freestanding sign. (Ord. 1946, 6-17-97)

INDUSTRIAL, HEAVY. See Section 10-03-002-0006.B.

INDUSTRIAL, LIGHT. See Section 10-03-002-0006.A.

**INFRASTRUCTURE IMPROVEMENT PLAN** ("**IIP**"). A plan, included in the Infrastructure Improvement Plan and Development Fee Study, which estimates future necessary public services and facilities required as a result of new development and forecasts the capital costs to the City of providing the Public Facility improvements needed to meet those needs. The IIP includes Public Facilities and Public Facility Expenditures on the City's Capital Improvement Plan ("CIP"). (Ord. 2008-28, 11-18-08)

**INFRASTRUCTURE IMPROVEMENT PLAN AND DEVELOPMENT FEE STUDY** ("IIP AND FEE STUDY"). A report prepared in support of Ordinance No. 2008-28 by TischlerBise, dated August 28, 2007, which report sets forth the methodology and basis for the calculation of the impact of new development and the proper and proportional amount of the development fee to be assessed against new development as required by Arizona Revised Statutes § 9-463.05(C). (Ord. 2008-28, 11-18-08)

**INOPERATIVE VEHICLE.** Any motor vehicle which lacks a current registration, or two (2) or more wheels, or any other component part, the absence of which renders the vehicle illegal for use on highways.

**INSTALLED LIGHTING.** Attached, or fixed in place, whether or not connected to a power source.

**INSTITUTIONAL, RESIDENTIAL.** See Section 10-03-002-0004.D.

**INSTITUTIONAL, INDOOR.** See Section 10-03-002-0004.B and C.

**ITEM OF INFORMATION.** One word, logo, symbol, abbreviation, number, illustration or image. (Ord. 1946, 6-17-97)

**INTERNAL ILLUMINATION.** A source of illumination contained entirely within the sign which makes the contents of the sign visible at night by means of light being transmitted through a translucent material, but wherein the source of the light is not visible. (Ord. 1946, 6-17-97)

**INTERNAL INDIRECT ILLUMINATION.** A source of illumination entirely within an individual letter, cabinet or structure which makes the sign visible at night by means of lighting the background upon which the individual letters are mounted. The letters are typically opaque, and thus are silhouetted against the background. The sources of illumination are not visible. (Ord. 1946, 6-17-97)

**JUNKYARD.** Any land or structure used for a salvaging operation including, but not limited to, the storage and sale of waste paper, rags, scrap metal, and discarded materials and the collection, dismantlement, storage, and salvage of two (2) or more inoperative vehicles. See Sections 10-03-002-0006.D and 10-03-003-0002.F. (Ord. 1997, 6-15-99)

**KENNEL.** A building lot or premises on which five (5) or more dogs, cats, or other small animals are kept, maintained, trained, boarded, or offered for sale with or without compensation.

**LANDSCAPE AREA:** For purposes of sign regulation, an area as required by Chapter 8 of this Code, surrounding the based of a freestanding sign, and containing living plant materials with or without a fixed border. (Ord. 1946, 6-17-97)

**LANDSCAPE SURFACE RATIO (LSR).** The number derived by dividing the area of landscape surface by the base site area.

**LANDSCAPE WALL SIGN.** A sign consisting of individual letters mounted on a screen or perimeter wall which may be attached or detached from a building, but which is architecturally integrated with the overall development. (Ord. 1946, 6-17-97)

LANDSCAPING. Flowers, shrubs, trees, or other decorative material of unartificial origin.

**LAND SPLITS.** Division of improved or unimproved lands, two-and-one-half (2 1/2) acres or less in area, into two (2) or three (3) tracts or parcels of land for the purpose of sale or lease.

**LIGHT FIXTURE.** See "OUTDOOR LIGHT FIXTURES", "FULLY SHIELDED FIXTURE", "PARTIALLY SHIELDED FIXTURE". (Ord. 1997, 6-15-99)

**LIGHTING CLASSES.** See "CLASS 1, CLASS 2, CLASS 3 LIGHTING", AND "MULTI-CLASS LIGHTING". (Ord. 1997, 6-15-99)

LODGING HOUSE. See "BOARDING HOUSE" AND "CONGREGATE RESIDENCE".

**LOGO.** A stylized group of letters, words, symbols, or combination thereof used to represent and distinguish a business or product from the competition. (Ord. 1946, 6-17-97)

**LOT.** An area of land undivided by any street or private road and occupied by, or designated to be developed for, permitted building(s) or principal use(s) and accessory building(s) or use(s) customarily incidental to such building, use, or development, including such open spaces and yards as are designed and arranged or required by this Ordinance for such building, use, or development.

**LOT AREA.** The area contained within the boundary lines of a lot excluding publicly dedicated or accepted rights-of-way.

**LOT, CORNER.** A lot abutting on two (2) or more intersecting streets where the interior angle or intersection does not exceed one hundred thirty-five (135) degrees. (See Illustration 10-14-004 A.)

LOT COVERAGE. That portion or percentage of a lot permitted to be covered by structures.

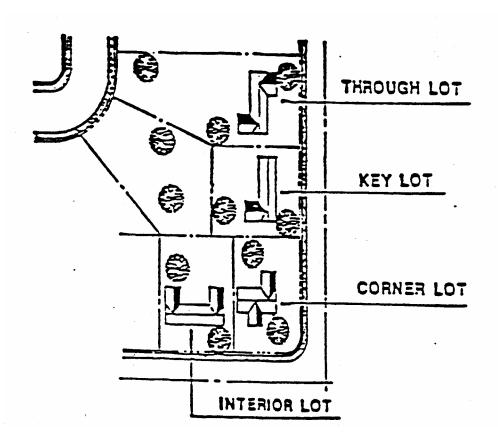
**LOT DEPTH.** The depth (or length) of a lot is:

- 1. The shortest distance between the front and rear line if the front and rear lines are parallel.
- 2. The shortest distance between the midpoint of the front lot line and the midpoint of the rear lot line if the front and rear lines are not parallel.
- 3. The shortest distance between the front lot line and a line parallel to the front lot line, not less than ten (10) feet long lying wholly within the lot if the lot is triangular or is another polygon with an odd number of sides ending in an angle of less than one hundred (100) degrees opposite from the front lot line. See Illustration 10-14-004 B.

**LOT, DOUBLE FRONTAGE.** A lot having a pair of opposite lot lines along two (2) or more parallel streets, and which is not a corner lot.

**LOT, INTERIOR.** A lot having only one (1) side abutting on a street. (See Illustration 10-14-004-0001A.)

# ILLUSTRATION 10-14-004-0001A CORNER, INTERIOR, KEY, AND THROUGH LOTS



**LOT, KEY.** Any lot having one (1) side lot line contiguous to the rear line of a corner lot. (See Illustration 10-14-004 A.)

LOT LENGTH. See "Lot Depth".

**LOT LINE.** The definition of this term changes with the individual sites as follows:

- 1. Lot Line, Front
  - a. Corner Lot: Either of the two (2) lines adjacent to the streets as platted, subdivided, or laid out, except that the front lot line shall be that line which is obviously the front by reason of the prevailing custom of the other buildings on the block. If such front is not evident, then either may be considered the front of the lot, but not both.
  - b. Interior Lot: The line bounding the street frontage.
  - c. Through Lot: That line which is obviously the front by reason of the prevailing custom of the other buildings in the block. Where such front lot line is not obviously evident, the Planning Division shall determine the front property line. Such a lot over two hundred (200) feet deep shall be considered, for the purpose of this definition, as two (2) lots, each with its own frontage.
- 2. Lot Line, Rear. That lot line opposite the front lot line. Where the side lot lines meet in a point, the rear lot line shall be assumed to be a line not less than ten (10) feet long lying within the lot and parallel to the front lot line. In the event that the front lot line is a curved line, then the rear lot line shall be assumed to be a line not less than ten (10) feet long, lying within the lot and parallel to a line tangent to the front lot line at its midpoint.
- 3. Lot Line, Side. Those lot lines connecting the front and rear lot lines.

**LOT OF RECORD.** Any validly recorded platted lot of a subdivision, certified survey map, or parcel of land which at the time of its recording complied with all applicable laws, Ordinances, and regulations.

LOT, REVERSE CORNER. A lot which abuts three streets.

LOT, THROUGH. See "Lot, Double Frontage." (See Illustration 10-14-004 A)

LOT WIDTH. The width of a lot is:

- 1. The shortest distance between the side lot lines if the side lot lines are parallel.
- 2. The length of a line at right angles to the axis of the lot at a distance equal to the front setback required for the district in which the lot is located if the side lot lines are not parallel. The axis of a lot shall be a line joining the midpoints of the front and rear lot lines, or a line drawn perpendicular through a tangent to the midpoint of the front property line if the front and rear lot lines are not parallel. See Illustration 10-14-004.B. (Ord. 1997, 6-15-99)

**LOT, ZONING.** A single tract of land which, at the time of issuance a building permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. Zoning lot lines shall not cross zoning district boundary lines unless otherwise permitted in these regulations. Therefore, a "zoning lot or lots" may or may not coincide with a "lot of record." (Ord. 1997, 6-15-99)

LUMEN. The unit used to measure the actual amount of light which is produced by a lamp.

**LUMINAIRE.** The complete lighting assembly, less the support assembly. For purposes of determining total light output from a luminaire, lighting assemblies which include multiple unshielded or partially shielded lamps on a single pole or standard shall be considered as a single unit.

**MAINTENANCE GUARANTEE.** A guarantee of facilities or work to ensure the correction of any failures of any improvements required pursuant to this Ordinance and regulation, or to maintain same.

MANSARD ROOF. A sloped wall segment or facade which imitates a building roof. (Ord. 1946, 6-17-97)

**MANUFACTURED HOME.** A structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. The term includes, but is not limited to, the definition of "mobile home" as set forth in regulations governing the Mobile Home Safety and Construction Standards Program. [24 C.F.R. 3282.7(a)]. Factory-built homes on permanent foundations are considered buildings, and are governed by the Uniform Building Code.

**MANUFACTURED HOME PARK.** A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home spaces for rent or lease.

**MANUFACTURED HOME SUBDIVISION.** A parcel (or contiguous parcels) of land divided into four (4) or more lots for sale, or otherwise qualifies as a subdivision under Chapter 10-11 of this Code. (Ord. 1997, 6-15-99) (Ord. 2008-25, 9-02-08)

**MARQUEE.** A permanent roofed structure attached to and supported by the building and projecting over public property.

**MASTER PLANNED COMMUNITY.** A project of at least one hundred sixty (160) acres which is planned, developed, or closely coordinated with a unified character and land use scheme; which is under unified control, and is planned and developed as a while in a single development operation, or programmed series of development stages. The development may include street, circulation ways, utilities, buildings, open spaces, and other site features and improvements. (Ord. 1946, 6-17-97)

**MINI-STORAGE**. A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the dead storage of a customer's goods or wares. Outdoor storage, or the storage of junk, explosives, or flammable materials, and other noxious or dangerous materials are specifically prohibited. (See Section 10-03-006-0001.) (Ord. 1741, 3/17/92) (Ord. 1997, 6-15-99)

**MINOR LAND DIVISION.** The division of improved or unimproved land or lands for the purpose of financing, sale, or lease, whether immediate or future, pursuant to Chapter 10-11.

**MIXED USE.** The development of a single building containing more than one type of land use or a single development of more than one building and use including, but not limited to, residential, office, retail, recreation, public or entertainment, where the different land use types are in close proximity, planned as a unified complementary whole, and shared pedestrian and vehicular access and parking areas are functionally integrated. (Ord. 2007-20, 3-20-07)

MOTEL. See "Hotel."

**MULTI-CLASS LIGHTING.** Any outdoor lighting used for more than one purpose, such as security and decoration, such that its use falls under the definition of two or more classes as defined for Class 1, 2, and 3 Lighting.

**MULTI-STORIED BUILDING OR USE.** A commercial, office or industrial development consisting of two or more stories available for occupancy by one or more separate activities, and in which there are appurtenant shared facilities. Distinguishing characteristics of a multi-storied building or use may, but need not, include common ownership of the real property upon or within which the uses are located, a common building entry, and multiple occupant use of a single structure. (Ord. 1946, 6-17-97)

**MULTI-TENANT BUILDING OR USE.** A commercial, office or industrial development in which there exists three (3) or more separate activities with direct exterior access, and in which there are appurtenant shared facilities. Distinguishing characteristics of a multi-tenant building or use may be need not include, common ownership of the real property upon which the building or use is located, common wall construction and multiple occupant use of a single structure. (Ord. 1946, 6-17-97)

MURAL. A picture or decoration, usually a very large one, applied directly to a wall or roof.

**MUSEUM.** A non-profit, non-commercial, or commercial establishment operated by a repository, or a collection of nature, scientific, or literary curiosities or objects of interest or works of art, not including the regular sale or distribution of the objects collected.

**NET ACREAGE.** The remaining ground area after deleting all portions for proposed and existing public rights-of-way.

**NEW CONSTRUCTION.** Structures for which the "start of construction" commenced on or after the effective date of this Ordinance.

**NEW DEVELOPMENT.** Any new construction, reconstruction, redevelopment, rehabilitation, structural alteration, structural enlargement, structural extension, or new use which requires a building permit or any change in use of an existing building, structure, or lot requiring any form of City approval, which increases the demand for one (1) or more Public Facilities, except as otherwise provided in §10-18-001-0003 of this Chapter. (Ord. 2008-28, 11-18-08)

**NONCONFORMING LOT.** A lot of record which does not meet the lot area or lot width requirements of these regulations for the zoning district in which it is located.

**NONCONFORMING SIGN.** Any sign which does not conform to the provisions of Chapter 8 of the Flagstaff Land Development Code at the time of adoption of Chapter 8, and other applicable regulations of the Flagstaff Land Development Code. Illegal signs shall not be considered nonconforming. (Ord. 1946, 6-17-97)

**NONCONFORMING STRUCTURE.** Any building or structure, other than a sign, legally established prior to the effective date of this Ordinance or subsequent amendment to it, which does not fully comply with the standards imposed by the individual sections of this Ordinance.

**NONCONFORMING USE.** An activity, use of land, buildings, signs, and/or structures, which was legally established prior to the effective date of this Ordinance or subsequent amendment to it and which would not be permitted to be established as a new use in the zoning district in which it is located by the regulations of this Ordinance. (Ord. 1997, 6-15-99)

**NONSTRUCTURAL TRIM.** The molding, battens, capping, nailing strips, latticing, and platforms which are attached to the sign structure and are nonstructural in nature and do not contribute to the support of the sign.

**NURSERY.** An enterprise which conducts the retail and wholesale sale of plants grown on the site, as well as accessory items (but not power equipment such as gas or electric lawn mowers and farm implements) directly related to their care and maintenance. The accessory items normally sold are clay pots, potting soil, fertilizers, insecticides, containers, rakes, and shovels. See Section 10-03-002-0002.C.

**NURSING HOME.** A health care institution other than a hospital or sheltered care home which is licensed by the Arizona State Department of Health Services as a skilled nursing facility for two (2) or more unrelated persons.

**OBSOLETE SIGN.** A sign which no longer directs, advertises or identifies a legal use, product, or activity on the premises where such sign is displayed. (Ord. 1946, 6-17-97)

**OBSTRUCTION.** Any structure or tree which exceeds permissible height limitations or is otherwise hazardous to the landing or taking off of aircraft.

**OFF-PREMISE SIGN.** Any sign that directs attention to a business, commodity, service, entertainment, product, structure, use or property different from a structure or use existing on the property where the sign is located, and/or any sign on which space is rented, donated, or sold by the owner of said sign or property for the purpose of conveying a message. (Ord. 1946, 6-17-97)

**OFFICE.** See Section 10-03-002-0005.A.

**OFFICE, TEMPORARY.** See Division 10-03-004.

**OFF-STREET PARKING.** Parking provided on property other than a public street, alley, or right-of-way, as provided in Chapter 10-07 of these regulations.

**OFF-STREET PARKING SPACE.** A space within a public or private parking area in compliance with the requirements set forth in Chapter 10-07 of these regulations.

**OFFSET.** A waiver, reimbursement, or credit of certain required development fees, pursuant to § 10-18-002-0003, in exchange for the provision by the applicant of, among other things, monetary contributions, dedication of land, or actual construction of all or part of a Public Facility included within the first five years of the City's IIP. (Ord. 2008-28, 11-18-08)

**ONE HUNDRED (100) YEAR FLOOD.** A flood event having one (1) percent chance of occurrence in any given year.

**ON-PREMISE SIGN.** Any sign that directs attention to an active use of the premises on which it is displayed, and/or any business, commodity, service, entertainment, product, structure, or use conducted therein. (Ord. 1946, 6-17-97)

**ON-SITE.** Located on the lot in questions, except in the context of on-site detention, when the term means within the boundaries of the development site as a whole.

**OPACITY.** The degree of opaqueness of a bufferyard as measured by levels of intensity of bufferyard foliage or other characteristics of the bufferyard including fencing, earthen berms, or walls.

**OPAQUE.** Opaque means that material must not transmit light from an internal illumination source. (See Section 10-08-002-0006.C.) (Ord. 1741, 3/17/92)

**OPEN SPACE.** Undeveloped land used primarily for resource protection or recreational purposes.

**OPEN SPACE RATIO (OSR).** The proportion of a site consisting of open space as specified in Section 10-04-002-0003 which shall be calculated using the base site area.

**OPEN YARD AREA.** A yard or portion of a yard provided within a development to create useable open space. Open yard area shall not be located within any portion of a front yard and shall not include any driving or parking surface designed for use by motor vehicles or trailers. Patios, decks less than thirty (30) inches above grade, and similar uncovered outdoor living spaces, and canopies or awnings may encroach into an open yard area. (Ord. 2007-20, 3-20-07)

**ORIENT.** To position a single faced sign in a parallel position, or a double faced sign in a perpendicular placement toward a street frontage. (Ord. 1946, 6-17-97)

OUTDOOR ADVERTISING USE OR STRUCTURE. See Billboard. (Ord. 1946, 6-17-97)

**OUTDOOR LIGHT FIXTURES.** Outdoor electrically powered illuminating devices, outdoor lighting or reflective surfaces, lamps and similar devices, either permanently installed or portable, which are used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot, and floodlights for:

- 1. Buildings and structures.
- Recreational areas.
- 3. Parking lot lighting.
- 4. Landscape and architectural lighting.
- 5. Billboards and other signs (advertising or other).

- 6. Street lighting.
- 7. Product display area lighting.

**OUTDOOR LIGHT OUTPUT, TOTAL.** The maximum total amount of light, measured in lumens, from all outdoor light fixtures. For lamp types that vary in their output as they age (such as high pressure sodium), the initial output, as defined by the manufacturer, is the value to be considered. (Ord. 1741, 3/17/92)

**OUTDOOR RECREATION FACILITY.** An area designed for active recreation, whether publicly or privately owned, including, but not limited to, baseball diamonds, soccer and football fields, golf courses, tennis courts, and swimming pools.

**OUTDOOR RETAIL SALES.** An establishment, located fully or partially outside of an enclosed structure, that offers goods for sale primarily for outdoor use including, but not limited to, home improvement and building materials, statuary, garden equipment, and plants, but not including vehicle and boat sales or machinery and equipment sales.

**OUTDOOR STORAGE, NONVEHICULAR.** An establishment that provides for outdoor storage of machinery and equipment, other than vehicles.

**OUTLOT.** A platted lot which is unbuildable.

**OWNER.** The persons having the right of legal title to, beneficial interest in, or a contractual right to purchase a lot or parcel of land.

PAD, DEVELOPMENT. See "Development Pad."

**PAN CHANNEL.** A letter or shape constructed with side walls and a face making the shape a solid integral unit with a pan-shaped cross section.

**PARCEL.** The area of land within the boundary lines of a subdivision, certified survey map, Coconino County Assessor's Map, or property defined by a metes and bounds description.

**PARKING LOT.** An improved surface upon which passenger vehicles are parked and at which a fee may be charged. See Section 10-03-006-0001. (Ord. 1997, 6-15-99)

**PARTIALLY SHIELDED FIXTURE.** An outdoor light fixture shielded in such a manner that more than zero (0) but less than ten (10) percent of the light emitted directly from the lamp or indirectly from the fixture is projected at angles above the horizontal, as determined by photometric test or certified by the manufacturer.

**PASSIVE RECREATION.** Recreational uses, areas, or activities oriented to noncompetitive activities which require no special equipment. Passive recreation areas are generally low maintenance areas.

**PERFORMANCE GUARANTEE.** A financial guarantee to ensure that all improvements, facilities, or work required by this Ordinance will be completed in compliance with the Ordinance, regulations, and the approved plans and specifications of a development.

**PERSON.** Any individual or his agent, lessee, firm, partnership, association, joint venture, corporation, or agent of the aforementioned groups or the State of Arizona or any agency or political subdivision thereof.

**PICNIC AREA.** An outdoor area specifically designed for a pleasure outing where a meal can be served. Facilities may include picnic tables, grills, and shelters.

**PLANNED DEVELOPMENT.** A development that contains a minimum amount of common open space and uses one (1) or more of the dwelling unit types in Section 10-05-003-0001. (Also see Section 10-04-002-0003.) (Ord. 1997, 6-15-99)

PLANNING DIRECTOR. The Director of the Planning Division for the City of Flagstaff.

PLANNING OFFICIAL. The Planning Director or his representative.

PLAT. A map of a subdivision.

**PLATE LINE.** The point at which any part of the roof structure first touches or bears upon an external wall. (Ord. 1946, 6-17-97)

**POLICE PROTECTION DEVELOPMENT FEE.** A development fee imposed on new residential and non-residential development to fund the proportionate share of the Public Facility costs created by new development for law enforcement buildings, vehicles, and equipment created by new development. (Ord. 2008-28, 11-18-08)

**PORTABLE SIGN.** Any sign not permanently attached to the ground, a building, or other immovable object. Such sign shall include any sign attached to, or displayed on a vehicle that is used for the expressed purpose of advertising a business establishment, product, service, or entertainment, when that vehicle is parked adjacent to the public right-of-way and/or in a manner as to attract attention of motoring of pedestrian traffic. (Ord. 1946, 6-17-97)

**PRELIMINARY PLAT.** A sketch and supporting data of a proposed subdivision, drawn to scale with sufficient information to allow the Development Review Board to review the plat, and to make determinations and recommendations as provided for in Chapter 10-11.

**PRIMARY ENTRANCE FRONTAGE.** A section of building elevation which is visible from the street frontage and/or faces into a multi-tenant complex, and which contains the main entrance of the business establishment. (Ord. 1946, 6-17-97)

**PRIVATE CLUB.** Any association, person, firm partnership or corporation, key club, bottle club, locker club, pool club, or any other kind of club or association excluding the general public from its premises or place of meeting or congregating or operating or exercising control over any other place where persons are permitted to drink alcoholic beverages other than in private homes.

PRIVATE LANDING STRIP AND HELIPORTS. See Section 10-03-002-0005.H.

**PRODUCE MARKET.** The seasonal selling or offering for sale, or the location of such sales, at retail price, of fresh or home-grown vegetables or produce, occurring in a pre-designated outdoor area of a business. Produce markets shall be incidental to an established permanent business on the same property. (Ord. 2002-15, 11-05-02)

**PROJECTING SIGN.** A sign attached to a building or other structure, and extending, in whole or in part, more than fourteen (14) inches beyond the building. (Ord. 1946, 6-17-97)

**PROTECTIVE LIVING.** Institutional residential living facilities where residents are under protective control of federal, state, county or City governance where residents must be present. It includes halfway houses, work release, or other similar programs. This does not include group homes or sheltered care facilities. (Ord. 1997, 6-15-99)

**PUBLIC FACILITY EXPENDITURES.** Amounts appropriated in connection with the provision of Public Facilities, including capital infrastructure, improvements, real property, engineering and architectural services, financing, other capital costs and associated appurtenances, equipment, vehicles, furnishings, and other personalty. (Ord. 2008-28, 11-18-08)

**PUBLIC IMPROVEMENT.** Any improvement, facility, or service, together with customary improvements and appurtenances thereto, necessary to provide for public needs such as: streets, alleys, pedestrian/bikeway walks or paths, storm sewers, flood control improvements, water supply and distribution facilities, sanitary sewage disposal and treatment, public utility and energy services.

**PUBLIC SERVICE.** Any facility or service provided by the local or federal government, or duly authorized by the State of Arizona, to provide services to the general public. (See Section 10-03-002-0004.E.)

**PUBLIC SANITARY SEWER.** Includes sanitary sewer systems other than individual on-site systems approved by the State or County and maintained by a public or private agency authorized to operate such systems.

**QUASI-PUBLIC USE.** Use operated by a private non-profit educational, religious, recreational, charitable, or medical institution, said use having the purpose primarily of serving the general public, and including uses such as churches, private schools and universities, private hospitals, youth centers, and similar uses.

RAISED BLOCK. A letter, border, or object in which the face is raised and rests on a vertical plane of a building.

**RECORDED PLAT.** A final plat bearing all the certificates of approval required and recorded in the Coconino County Recorder's Office.

**RECORDED LOT.** See Lot of Record.

RECREATIONAL, OUTDOOR. See Section 10-03-002-0004.A.

**RECREATIONAL VEHICLE.** A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motor power or is mounted on or drawn by another vehicle. (Ord. 1997, 6-15-99)

**RECYCLING CENTER.** See "Scrap and Salvage Services."

**REPAIR SERVICES, SMALL APPLIANCE AND EQUIPMENT.** An establishment located within a fully enclosed facility that offers repair services for small appliances and equipment, including, but not necessarily limited to: electronics, computers, stereos, and home appliances, but not including vehicles and vehicle parts.

**RESORT.** See "Hotel."

**RESTAURANT, FAST FOOD.** An establishment whose principal business is the sale of food and/or beverages in a ready-to-consume state for consumption (1) within the restaurant building, (2) within a motor vehicle parked on the premises, or (3) off the premises as carry-out orders, and whose principal method of operation includes the following characteristics: food and/or beverages are usually served in edible containers or in paper, plastic, or other disposable containers.

**RESTAURANT, STANDARD.** An establishment whose principal business is the sale of food and/or beverages to customers in a ready-to-consume state, and whose principal method of operation includes one (1) or both of the following characteristics: (1) customers, normally provided with an individual menu, are served their foods and beverages by a restaurant employee at the same table or counter at which food and beverages are consumed; (2) a cafeteria-type operation where food and beverages generally are consumed within the restaurant building.

**RESUBDIVISION.** See "Subdivision."

**RETAIL.** To sell, or the act of selling, commodities or goods, usually in small quantities, directly to the ultimate consumer. See Section 10-03-002-0005.B. (Ord. 2000-08, 6/6/00)

**RETAIL, HEAVY.** All activities involving the production, processing, cleaning, servicing, testing, or repair of materials, goods, or products that would be considered as industrial or heavy industry shall be prohibited in this use. For example, while auto or engine repair is permitted, the storage and disassembly of vehicles and the re-assembly of various parts are considered manufacturing (heavy industry). Junkyards are also considered heavy industry. (Ord. 1741, 3/17/92)

**RETAIL MALL.** A roofed or covered common pedestrian area within a covered mall building which serves as access for multiple retail tenants and may have three levels that are open to each other.

**ROAD, ARTERIAL.** A road, street or highway which is intended to provide for high-speed travel between or within communities or to and from collectors. Access is controlled so that only regionally significant land uses may take direct access to these streets. (Ord. 1997, 6-15-99)

**ROAD, COLLECTOR.** A road or street which is intended to connect residential streets to arterial roads or provide access to nonresidential uses and arterial streets.

**ROAD, FREEWAY OR INTERSTATE.** An arterial road or highway (such as an Interstate Highway) with restricted or limited access. (Ord. 1997, 6-15-99)

**ROAD, LOCAL.** A road or street which is intended to provide access to abutting residential properties. (Ord. 1997, 6-15-99)

**ROOF LINE.** The top edge of the roof or top of the parapet, whichever forms the top line of the building silhouette but not including spires, chimneys, or heating or cooling mechanical devices.

**ROOF MOUNTED SIGN.** A building mounted sign extending above the plate line of a building or structure, but not above the roof line. (Ord. 1946, 6-17-97)

**ROOMING HOUSE.** See "Boarding/Rooming House or Dormitory."

**SCRAP AND SALVAGE SERVICES.** An establishment primarily engaged in the storage, sale, dismantling or other processing of used or waste materials which are not intended for re-use in their original forms, such as automotive wrecking yards, metal salvage yards, or paper salvage yards.

**SECONDARY SINGLE-FAMILY.** See "DWELLING, SECONDARY SINGLE-FAMILY". (Ord. 1997, 6-15-99)

**SERVICE ISLAND SIGN:** A sign mounted permanently on, under, or otherwise mounted on a service island canopy and may include the following:

Canopy Fascia Sign: A sign mounted flush against the vertical plane of the canopy fascia.

Sign Board: A sign located on sign boards that are permanently mounted on the canopy

support poles at a height above the fuel pumps and below the fuel island canopy. A sign mounted flush against the vertical plane of a spanner board. A spanner

board is a structural member extending between two vertical support poles of the service island canopy and permanently mounted to the poles at a height above the gasoline pumps and below the service island canopy. (Ord. 1946, 6-17-97)

SETBACK. See "Building Line."

Spanner Board:

**SHELTERED CARE FACILITY.** An institutional living facility where residents live in an institutional living environment, or such uses that house more than eight (8) unrelated residents. Care may range from part-time operators who provide meals, health, or other assistance to full-time care. It includes State licensed facilities including Personal Care Facilities. This does not include group homes or protective living facilities. (Ord. 1997, 6-15-99)

**SHOPPING CENTER.** A group of commercial establishments planned, developed, and managed as a unit with off-street parking provided on the property.

**SHOPPING CENTER, REGIONAL.** A shopping center having in excess of three hundred thousand (300,000) square feet of gross floor area.

**SIC.** <u>STANDARD INDUSTRIAL CLASSIFICATION</u> from the 1987 (or latest edition) manual printed by the Executive Office of the President, Office of Management and Budget.

**SIGN:** Any device conveying a message or messages visually that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any lawful display of merchandise. (Ord. 1946, 6-17-97)

**SINGLE-FAMILY DETACHED DWELLING.** Means a dwelling designed and used for single-family use as defined in Section 10-03-002-0003. (Ord. 2008-28, 11-18-08)

SINGLE-FAMILY RESIDENTIAL USE. See Section 10-03-002-0003.

**SITE CAPACITY ANALYSIS.** A calculation of net buildable site area that takes into account its resource protection land, open space, and other recreation land.

**SITE PLAN.** A graphic depiction of features on a site such as existing and proposed structure, paved areas, ingress/egress points, and landscaped areas along with certain information as required by Chapter 10-10.

**SLOPE.** The incline of land which can be measured by taking the vertical distance, or "rise", over the horizontal distance, or "run". The resulting fraction, or percentage, is the "slope" of the land. See also "STEEP SLOPE". See Chapter 10-04, Section 10-04-003-0005. (Ord. 1997, 6-15-99)

**SMALL UNIT SINGLE-FAMILY.** This is a small attached or detached dwelling unit limited to a single bedroom, a maximum total floor area, and occupation by no more than two (2) people.

**SORORITY HOUSE.** See "Fraternity House."

**STABLE, COMMERCIAL.** A building and/or land where horses are kept for remuneration, hire, sale, boarding, riding, or show.

**STABLE, PRIVATE.** Any building, incidental to an existing residential principal use that shelters horses for the exclusive use of the occupants of the premises.

**STEEP SLOPE.** Land area shall be considered a steep slope using the methodology in Chapter 10-04. Two categories based on relative degree of steepness are: seventeen (17) to twenty-four and nine tenths (24.9) percent, and twenty-five (25) percent and over. (Ord. 1997, 6-15-99)

**STORY.** That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. A basement, the ceiling of which is less than four feet six inches (4'6") above the natural grade, shall not be considered a story. A mezzanine floor shall not be considered a story if it is less than thirty-three and one-third (33 1/3) percent of the area of the floor next below it in a non residential structure. A mezzanine shall be considered a story when located in a residential structure.

**STORY, HALF.** A story under a gable, hip, or gambrel roof, where no more than twenty-five (25) percent of the floor area is located under dormers or other outward projections from the basic plane of the roof.

**STREET.** Any existing or proposed public or private street, avenue, boulevard, road, lane, parkway, place, bridge, viaduct, or easement for public vehicular access, or a street shown in a plat heretofore approved pursuant to law, or a street in a plat duly filed and recorded in the County Recorder's Office. A street includes all land within the street right-of-way whether improved or unimproved, and includes such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking space, bridges, and viaducts.

**STREETSCAPE.** Those features of either the man-made or natural environment which abut, face, or are a part of a public street right-of-way including landscaping (materials and plants), street furniture, building facades, and utilities and facilities which are visible to the public such as fire hydrants, storm sewer grates, sidewalk and street paving, etc.

**STRUCTURE, PERMANENT.** Anything constructed or erected within a required location on the ground or which is attached to something having location on the ground, including a fence, satellite dish, or free-standing wall.

**SUBDIVIDER.** An individual, firm, corporation, partnership, association, syndicate, trust or other legal entity that files an application and initiates proceedings for the subdivision of land or minor land division in accordance with the provisions of this Chapter, except that an individual serving as agent for such legal entity is not a subdivider.

**SUBDIVISION.** Improved or unimproved land or lands divided for the purpose of financing, sale or lease whether immediate or future, into four or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two or more lots, tracts, or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two parts. "Subdivision" also includes any condominiums, cooperative, community apartment, townhouse, or similar project containing four or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided. All subdivisions are also developments. Subdivision does not include

the following:

- 1. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
- 2. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
- 3. The leasing of apartments, offices, stores, or similar space within a building or trailer park, nor to mineral, oil, or gas leases.

**SUBSTANTIAL IMPROVEMENT.** Any improvement, reconstruction, or repair of a structure, the cost of which equals or exceeds fifty (50) percent of the actual value of the structure as determined from the records of the Coconino County Assessor or by a current appraisal by a recognized appraiser, either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

- 1. Any project for improvement of a structure to comply with existing State of Arizona or City of Flagstaff health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
- Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

**SUSPENDED SIGN:** A sign attached to the underside of a lintel, arch or other overhead spanning member of a porch or walkway, and which is hung either perpendicular or parallel to a vertical wall surface. (Ord. 1946, 6-17-97)

**TANDEM PARKING.** A parking condition where one vehicle may be parked in front of another in a driveway. (Ord. 2007-20, 3-20-07)

**TEMPORARY LIGHTING.** Lighting which does not conform to the provisions of this Ordinance and which will not be used for more than one thirty (30) day period within a calendar year, with one thirty (30) day extension. Temporary lighting is intended for uses which by their nature are of limited duration; e.g. holiday decorations, civic events, or construction projects.

**TEMPORARY SIGN:** Any sign or advertising display for use for ninety days or less. (Ord. 1946, 6-17-97)

**TENTATIVE PLAT.** A map and other submittals, including a site capacity analysis and a map showing resources on the site, as required by Chapter 10-11, of a proposed subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land.

**TIME AND TEMPERATURE SIGN:** A sign whose only function is the display of information about the current time and/or temperature. (Ord. 1946, 6-17-97)

**TOTAL HEIGHT**. The vertical distance from natural or finished grade at the base of a tower supporting a wind turbine to the tip of the wind turbine blade when it is at its highest point. (Ord. 2009-03, 01-20-09)

**TOWER**. The monopole structure that supports a wind turbine. (Ord. 2009-03, 01-20-09)

**TOWERS.** See Section 10-03-003-0002.C.

**TOWNHOUSE.** See Section 10-05-003-0001.J.

**TRACT.** Undeveloped or developed land within a subdivision boundary reserved or set aside for division or special use; or a land area proposed for subdivision.

**TREE.** A woody perennial plant usually having a single elongated stem or trunk, generally with few or no branches on its lower part. (Ord. 1997, 6-15-99)

**USE.** The purpose or activity for which land or any building or structure thereon is designed, arranged, or intended, or for which it is occupied or maintained. (Ord. 1997, 6-15-99)

**USE, ABANDONMENT OF.** The relinquishment of a property, or the cessation of a use or activity by the owner or tenant for a period of six months, excluding temporary or short term interruptions for the purpose of remodeling, maintaining, or otherwise improving or rearranging a facility. A use shall be deemed abandoned when such use is suspended as evidenced by the cessation of activities or conditions which constitute the principal use of the property. (Ord. 1741, 3/17/92)

USE, ACCESSORY. See "ACCESSORY USE." (Ord. 1997, 6-15-99)

**USE, AUTHORIZED.** Any use that is or may be lawfully established in a particular districts, provided that it conforms to all requirements of these regulations for the district in which such use is located.

**USE, CHANGE OF.** The cessation of activities or conditions associated with a principal use of a property and the commencement of activities or conditions associated with a different principal use. A use shall be deemed to be changed when a change in the distinguishing traits or primary features of the use of a building or land, as evidenced by a change in parking requirements, change in occupancy designation and/or occupancy load, change in outdoor storage, or other features occur after the effective date of this policy (ordinance). (Ord. 1741, 3/17/92)

**USE, CONDITIONAL.** A use that has operational, physical, and other characteristics that may be different from those of the predominant authorized uses in a district, but which is a use that complements or is otherwise compatible with the intended overall development within a district, provided that specified standards are met. A use is classified "conditional" due to its unique, known, and/or potential impacts to adjacent properties or persons, surrounding area, and/or community at large.

**USE, ESTABLISHMENT OF.** The commencement of activities or conditions which constitute the specific primary purpose for which land or any building thereon is designed, arranged, or intended or for which it is occupied or maintained. A use shall be deemed established when a required Building Permit from the City of Flagstaff has been obtained, construction has commenced and is proceeding in a timely manner, and/or occupancy has taken place as part of the principal use of the property. (Ord. 1741, 3/17/92)

**USE, INSTITUTIONAL.** A non-residential use which may include, but are not limited to churches, schools, other public or quasi-public buildings, museums, and observatories. (Ord. 1946, 6-17-97)

USE, NONCONFORMING. See "NONCONFORMING USE." (Ord. 1997, 6-15-99)

**USE, PRINCIPAL.** The specific primary purpose for which land is used.

**USE, TEMPORARY.** A temporary use is one established for a fixed period of time with the intent to discontinue such use upon the expiration of such time. Such uses do not involve the construction or alteration of any permanent structure. See Division 10-03-004.

**UTILITIES.** Installations or facilities or means for furnishing to the public, electricity, gas, steam, communications, water, drainage, sewage disposal, or flood control, irrespective of whether such facilities or means are underground or above ground; utilities may be owned and operated by any person, firm, corporation, municipal department or board, duly appointed by state or municipal regulations. Utility or utilities as used herein may also refer to such persons, firms, corporations, departments, or boards.

**VARIANCE.** A grant of relief from the requirements of this Ordinance which permits construction in a manner that would otherwise be prohibited by this Ordinance.

**VERTICAL WIND TURBINE.** A wind turbine in which the hub is mounted in a vertical plane. (Ord. 2009-03, 01-20-09)

**VETERINARY CLINIC.** A facility rendering surgical and medical treatment to small animals, which may include overnight accommodations for purposes of recovery or boarding. For the purpose of these regulations, small animals shall be deemed to be ordinary household pets, excluding horses, donkeys, or other such animals not normally housed or cared for entirely within the confines of a residence. Crematory facilities shall not be allowed in a veterinary clinic. (Ord. 2002-15, 11-05-02)

**VETERINARY HOSPITAL.** A facility rendering surgical and medical treatments to all types animals, having no limitation to overnight accommodations for such animals. Crematory facilities shall not be allowed in a veterinary hospital. For the purpose of these regulations, where a veterinary hospital is permitted, a veterinary clinic shall also be permitted. (Ord. 2002-15, 11-05-02)

**WATERCOURSE.** Any lake, river, creek, stream, wash, arroyo, channel, or other body of water having banks and bed through which waters flow at least periodically.

**WATT.** The unit used to measure the electrical power consumption of a lamp.

**WHOLESALE.** To sell, or the act of selling, commodities or goods, usually in large quantities, to retailers or jobbers for resale to the ultimate consumer. (Ord. 2000-08, 6/6/00)

**WIND TURBINE.** The blades and associated mechanical and electrical conversion components whose purpose is to convert kinetic energy of the wind into rotational energy to generate electricity. (Ord. 2009-03, 01-20-09)

**WORKFORCE HOUSING.** Workforce housing is housing that is affordable to residents, or potential residents, who earn up to one hundred and fifty (150) percent of the Area Median Income for their family size, when they are spending no more than thirty-five (35) percent of their gross income on housing. (Ord. 2007-20, 3-20-07)

**WORKFORCE HOUSING PROJECT.** Means a residential development that is restricted to residents, or potential residents, who earn up to one hundred and fifty (150) percent of the Area Median Income for their family size, when they are spending no more than thirty five (35) percent of their gross income on housing. (Ord. 2008-28, 11-18-08)

**YARD.** An open space that lies between the principal or accessory building or buildings and the nearest lot line. Such yard is unoccupied and unobstructed from the ground upward except as may be specifically provided in this Ordinance.

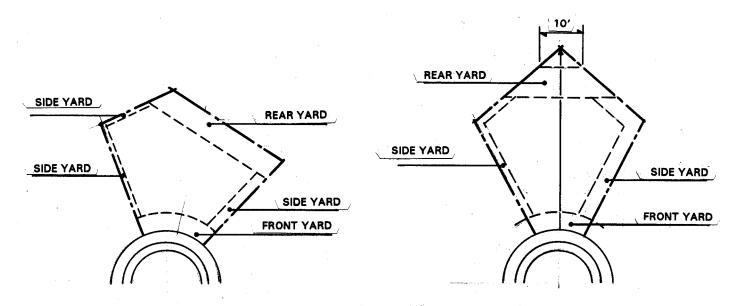
YARD, DEPTH. The shortest distance between a lot line and a yard line.

**YARD, EXTERIOR.** A yard adjacent to a street. On corner lots, the exterior side yard is adjacent to a street other than the one which determines the front yard. (Ord. 1997, 6-15-99)

**YARD, FRONT.** A space extending the full width of the lot between any building and the front lot line, and measured perpendicular to the building at the closest point to the front lot line. Such front yard is unoccupied and unobstructed from the ground upward except as may be permitted elsewhere in this Ordinance. Also see Illustration 10-14-004 B.

# ILLUSTRATION 10-14-004-0001B FRONT, REAR, AND SIDE YARDS

**YARD, PERIMETER.** The yard area of a lot, tract, or parcel which surrounds the development pad. Perimeter yards include side, rear, and front yards. (Ord. 1741, 3/17/92)



**YARD, REAR.** A space extending across the full width of the lot between the principal building and the rear lot line, and measured perpendicular to the building to the closest point of the rear lot line. Such rear yard is unoccupied and unobstructed from the ground upward except as may be permitted in this Ordinance. (Also see Illustration 10-14-004 B.)

**YARD, REQUIRED.** The minimum dimension of a front, side, or rear yard as established by the use regulations for each zoning district.

**YARD, SIDE.** A space extending from the front yard to the rear yard between the principal building and the side lot line measured perpendicular from the side lot line to the closest point of the principal building. Such side yard is unoccupied and unobstructed from the ground upward except as may be permitted elsewhere in this Ordinance. (Also see Illustration 10-14-004 B.)

**ZONING ADMINISTRATOR.** The City of Flagstaff Zoning Administrator as authorized by these provisions. (See Section 10-09-005-0001) (Ord. 1741, 3/17/92)

**ZONING MAP**. The map and/or detailed maps showing the location and boundaries of the zoning districts established by this Ordinance. These maps are entitled, "Official Zoning Maps, City of Flagstaff, Arizona."

#### DIVISION 10-14-005. DEFINITIONS OF TERMS FOR TRADITIONAL NEIGBORHOODS

Note: This entire Division was adopted by Ordinance No. 2007-42, 11-20-2007.

#### 10-14-005-0001. DEFINITIONS OF TERMS FOR TRADITIONAL NEIGHBORHOODS:

This Section provides definitions for terms used in Chapter 17 Traditional Neighborhood District that are technical in nature or that otherwise may not reflect a common usage of the term. If a term is not defined in this section, then the Zoning Administrator shall determine the correct definition of the term.

**A-Grid Thoroughfares:** cumulatively, those Thoroughfares that by virtue of their pre-existing or proposed pedestrian-supportive qualities, or their future importance to pedestrian connectivity, are held to the highest standards prescribed by Chapter 17. See **B-Grid Thoroughfares**. (Syn. Primary Grid.)

**Access Road:** an outer vehicular lane or lanes of a Thoroughfare designed for slow speeds while inner lanes carry higher speed traffic, and separated from them by a planted median. (Syn: access lane, service lane, frontage road.)

Actual Parking: the gross number of existing parking spaces.

**Accessory Dwelling Unit (ADU):** A subordinate living unit added to, created within, or detached from a single-family dwelling that provides basic requirements for independent living, (i.e. sleeping, eating, cooking and sanitation).

**Allee:** a regularly spaced and aligned row of trees usually planted along a Thoroughfare or Path.

Alley: See Rear Alley.

**Ambient Standards:** A term used in the SmartCode referring to the standards applied to exterior lighting, exterior storage, and permitted sound levels.

Attic: the interior part of a building contained within its roof structure above the ceiling of the top story.

**Avenue (AV):** a Thoroughfare of high vehicular capacity and low to moderate speed designed with a landscaped median that functions as a short distance connector between urban centers.

**B-Grid Thoroughfares:** cumulatively, those Thoroughfares that by virtue of their use, location or absence of preexisting or proposed pedestrian-supportive qualities, may meet a standard lower than that of the A-Grid. Exceptions to the standard for parking on the first Layer may be granted for B-Grid Thoroughfares. See **A-Grid Thoroughfares**. (Syn. Secondary Grid.)

Backbuilding: a single-Story structure connecting a Principal Building to an Outbuilding. See Table 17.

Bicycle Lane (BL): a dedicated lane for bicycle use demarcated by striping.

Bicycle Route (BR): a Thoroughfare designated for the shared use of bicycles and automobiles.

**Bicycle Trail (BT):** a bicycle way located separately and independent from a vehicular Thoroughfare for the shared use of bicycles and pedestrians. (Syn. Path).

Block: the aggregate of private Lots, Passages, Rear Alleys and Rear Lanes, circumscribed by Thoroughfares.

**Block Face:** the aggregate of all the building Facades on one side of a Block. The Block Face provides the context for establishing architectural harmony.

**Boulevard (BV):** a Thoroughfare designed for high vehicular capacity and moderate speed traversing an Urbanized area.

**Buffer:** an area of land with natural or planted landscaping intended to visually and physically separate buildings, Uses, or lots from each other.

**Build-to line:** the distance measured from a Lot Line at which the provisions of Chapter 17 or a site's Form-Based Code requires placement of a building.

**By Right:** characterizing a proposal or component of a proposal for a building or Community plan that complies with a Traditional Neighborhood District approved under Division 10-02-006, and may thereby be processed administratively, without public hearing.

**Character District:** an identifiable neighborhood or district within the City of Flagstaff that exhibits unique or consistent physical patterns of development including building form, scale, and character, street layout, historic significance or other unique features that define and make it distinct from surrounding areas.

**Charrette:** a collaborative planning and design process during which stakeholders, including, for example, land developers, design professionals, citizens, city staff, and other interested persons, draft a solution to a design problem or create a plan for the development of land.

**City Architect:** the person designated or authorized by the City Manager to conduct the reviews and make the decisions required of the City Architect under this Ordinance.

Civic: not-for-profit or governmental activities dedicated to arts, culture, education, recreation, government, transit, and municipal parking.

**Civic Building:** a building operated by governmental or not-for-profit organizations and limited to Civic and related Uses.

Civic Space: an outdoor area dedicated for Civic activities. See Table 13.

Civic Zone: designation for public sites dedicated for Civic Buildings and Civic Space.

Commercial: the term collectively defining workplace, Office, Retail and Lodging functions.

**Common Destination:** an area of focused Community activity acting as the social center of a neighborhood usually defining the approximate center of a Pedestrian Shed that includes one or more of the following: a Civic Space, a Civic Building, a Commercial center, or a transit station.

**Community:** a regulatory category defining the physical form, Density and extent of a settlement.

**Configuration:** the form of a building, based on its massing, Private Frontage, and height.

**Coordinated Frontage:** a Frontage where the Public Frontage and Private Frontage are coordinated as a single, coherent landscape and paving design.

**Corridor:** a lineal geographic system incorporating transportation and/or greenway trajectories. A transportation Corridor may be a lineal Transect Zone.

**Cottage:** an Edgeyard Building Type that is the smallest of the single-family house types, located on a regular Lot, and often shared with an Outbuilding in the back yard.

**Courtyard Building:** a building that occupies the boundaries of its Lot while internally defining one or more private patios. See Table 9.

**Curb:** the edge of the vehicular pavement that may be raised curb or flush to a Swale. The Curb usually incorporates the drainage system. See Table 4A and 4B.

**Density:** the number of dwelling units within a standard measure of land area, usually given as units per acre (see Section 3.4). For the purposes of Density calculations, the area of each Transect Zone includes the Thoroughfares in the T3, T4 and T5 Transect Zones, except for arterials as defined in the Regional Plan and Thoroughfares in exclusively commercial areas. Land allocated to Civic Zones is also excluded from the site area for Density calculations.

**Design Speed:** is the velocity at which a Thoroughfare tends to be driven without the constraints of signage or enforcement. There are four ranges of speed: Very Low: (below 20 MPH); Low: (20-25 MPH); Moderate: (25-35 MPH); High: (above 35 MPH).

**Dooryard:** a Private Frontage type with a shallow Setback and front garden or patio, usually with a low wall at the Frontage Line. See Table 7. (Var: **Lightwell**, light court.)

**Drive:** a Thoroughfare along the boundary between an Urbanized and a natural condition, usually along a Park or promontory. One side has the character of a Thoroughfare with Sidewalk and building, while the other has the qualities of a Road or parkway with naturalistic planting and rural details.

Driveway: a vehicular lane within a Lot, or shared between two lots, usually leading to a garage.

**Duplex:** an attached building type with two Independent Living Units sharing a common or party wall.

**Edgeyard Building:** a building that occupies the center of its Lot with Setbacks on all sides. See Table 9.

**Effective Parking:** the amount of parking required for Mixed Use after adjustment by the Shared Parking Factor. See Table 11.

Elevation: an exterior wall of a building not along a Frontage Line. See Façade. See Table 17.

**Encroachment:** any structural element such as Galleries, fences, garden walls, porches, Stoops, balconies, bay windows, terraces or decks that break the plane of a vertical or horizontal regulatory limit extending into a Setback, into the Public Frontage, or above a height limit.

**Estate House:** an Edgeyard building type characterized by a single-family dwelling on a Lot greater than one-half acre with rural character placed on the edge of a neighborhood, often shared by one or more Outbuildings. (Syn: country house, villa)

**Existing Local Codes:** the regulations provided in other codes, ordinances, regulations, and standards of the City of Flagstaff.

**Expression Line:** a line prescribed at a certain level on a building for the major part of the width of a Façade, expressed by a variation in material or by a limited projection such as a molding or balcony. See Table 8. (Syn: transition line.)

Facade: the exterior wall of a building that is set along a Frontage Line. See Elevation. See Table 17.

FF: an abbreviation for Finish Floor. See Table 8.

**Forecourt:** A Private Frontage where a portion of the Façade is close to the Frontage Line and the central portion is set back. See Table 7.

**Form-Based Code**. a Form-based Code is the regulatory document adopted by the City Council that defines the regulations and standards applicable to development of a specific parcel or area of land that is zoned Traditional Neighborhood District. The Form-based Code for a particular project applies the standards from the Traditional Neighborhood District to a unique site, and is made up of the design standards that define the urban form by addressing the details of relationships between building Façades and the Public Realm of the street, the form and mass of buildings in relation to one another, and the scale and type of streets and blocks.

Front: to place an element along a Frontage Line, as in "porches Front the street."

**Frontage:** the areas between a Façade and the Vehicular Lanes inclusive of its built and planted components. Frontage is divided into **Private Frontage** and **Public Frontage**. See Tables 4A and 7.

**Frontage Line:** a Lot Line abutting a Right of Way, or, in the case of privately held Right of Way, the Lot Line within the Right of Way most nearly parallel to the Vehicular Lanes. See Table 17.

**Furnishing Strip:** the layer within the Right-of-Way that provides a space for the placement of landscaping, public street furniture, transit stops, public signage, or utilities in order to keep the Sidewalk unencumbered for the free movement of pedestrians.

**Gallery:** a Private Frontage typically used in Retail applications where the Façade is aligned close to the Frontage Line with an attached cantilevered shed or a lightweight colonnade overlapping the Sidewalk. See Table 7.

**Green:** a Civic Space type for unstructured recreation spatially defined by landscaping rather than building Frontages. See Table 13.

**Greenway:** an Open Space Corridor in largely natural conditions, which may include Trails for bicycles and pedestrians.

Home Occupation: See Section 10-14-004-0001.

**House:** an Edgeyard building type, usually a single-family dwelling on a Lot, often shared with an Accessory building in the back yard. (Syn: single-family house.)

**Independent Living Unit:** a Residential unit with no more than one (1) kitchen, and sleeping, living and bathroom facilities.

**Illustrative Plan:** a plan or map that depicts (i.e. illustrates but does not regulate) the streets, lots, buildings and general landscaping of a proposed development designed as a traditional neighborhood.

**Infill:** a Community proposed for redevelopment as a Traditional Neighborhood District located within an existing Urbanized area where infrastructure is already in place.

**Inn:** an owner-occupied Lodging type offering 6 to 12 bedrooms for nightly accommodations, and permitted to serve breakfast in the mornings to guests.

Lane: a local Urban Thoroughfare accommodating low-speed Yield traffic movements. (Syn: Rear Lane.)

Layer: a range of depth of a Lot within which certain elements are permitted. See Table 17.

**Lightwell:** a Private Frontage type that is a below-grade entrance or recess designed to allow light into basements. See Table 7. (Syn: light court.)

**Linear Pedestrian Shed:** a Pedestrian Shed that is elongated along an important Mixed Use Corridor such as a main street. A Linear Pedestrian Shed extends approximately ¼ mile from each side of the Corridor for the length of its Mixed Use portion. It may be used to structure a New Community Traditional Neighborhood or an Infill Traditional Neighborhood. (Syn: elongated Pedestrian Shed.)

**Liner Building:** a building specifically designed to mask a parking lot or a parking garage from a Frontage. A Liner Building, if less than 30 feet deep and two Stories, shall be exempt from parking requirements.

**Live-Work:** a Mixed Use unit consisting of a Commercial and Residential Use. The Commercial use may be anywhere in the unit. It is intended to be occupied by a business owner who lives in the same structure that contains the Commercial activity or industry. See **Work-Live**. (Syn: flexhouse.)

**Lodging:** premises available for daily and weekly renting of bedrooms. See Tables 10 and 12.

**Lot:** a parcel of land having specific boundaries and recorded as such in a deed or subdivision plat in the Coconino County Recorder's Office.

Lot Coverage: the portion of a lot, expressed as a percentage, which may be occupied by a building or structure and impervious driveway and parking area surfaces. Lot Coverage excludes all pervious surfaces such as landscape areas, interlocking pavers, porous pavement, and products designed to allow grass and other vegetation to grow within them. Patios, decks, pools and spas, sidewalks, pathways and similar at grade surfaces are also excluded from Lot Coverage.

Lot Line: the boundary that legally and geometrically demarcates a Lot.

**Lot Depth:** the mean horizontal distance measured from the front Lot Line to the rear Lot Line.

**Lot Width:** the length of a Lot Line along its shortest Frontage.

**Mansion Apartment Building:** a multi-family building type containing several apartments that is designed to look like a large single-family house. This building type usually features a front porch to help it blend with adjacent single-family Houses.

Manufacturing: premises available for the creation, assembly, and/or repair of products, using table-mounted electrical machinery, and including their Retail sale.

**Meeting Hall:** a building containing at least one room equivalent to a minimum of ten (10) square feet per projected dwelling unit within a pedestrian shed available for public gatherings, including conferences

**Mixed Use:** multiple uses within the same building or multiple buildings located within the same Block or Transect Zone. Also, see the definition in Section 10-14-004-0001.

**Multi-family Building:** a building type that contains two (2) or more Independent Living Units that are accessed via a main entrance on the Principal Frontage.

**Net Site Area:** Net Site Area is the portion of the site on which development is permitted, excluding T1 Natural and T2 Rural Transect Zones. See Table 14a.

**Network Pedestrian Shed:** a Pedestrian Shed adjusted for average walking times along Thoroughfares. See Table 17. See **Pedestrian Shed**.

**New Community Plans:** Plans and documents submitted for review and approval for a proposed New Community typically consisting of an Illustrative Plan, Regulating Plan and Form-based Code.

**New Urbanism:** a design-focused alternative to automobile-oriented planning and development that promotes walkable, town-centered, environmentally-sensitive and sustainable communities by emphasizing transit, human scale, and a mix of housing, civic, commercial and retail uses in close proximity, while preserving open lands and achieving other environmental goals.

**Office:** premises available for the transaction of general business but excluding Retail, artisan and Manufacturing uses. See Table 10.

**Open Space:** land intended to remain undeveloped. It may be reserved for Civic Space.

**Outbuilding:** a building usually located towards the rear of the same Lot as a Principal Building, and sometimes connected to the Principal Building by a Backbuilding. See Table 17.

**Park:** a Civic Space type that is a natural preserve available for unstructured recreation. See Table 13.

Parking Structure: a building containing two or more Stories of parking above natural grade.

**Passage (PS):** an open or roofed pedestrian connector that passes between buildings to provide shortcuts through long Blocks that connects rear parking areas to Frontages.

**Path (PT):** a pedestrian way that may be designated for the shared use of pedestrians and bicycles traversing a Park or rural area with landscape matching the contiguous Open Space that connects directly with the urban Sidewalk network. (Syn. Pedestrian Path.)

**Pedestrian Shed:** an area that is centered on a Common Destination. There are three types of pedestrian sheds, Standard, Linear, and Network, whose size is defined by an average walking distance that may be traversed at an easy walking pace from its edge to its center for its applicable Community type. See **Standard**, **Linear**, or **Network Pedestrian Shed**.

**Placement:** the way a building is placed or located on its Lot (See Tables 9 and 17). The SmartCode uses the term "Disposition" to refer to "Placement".

Planter: the element of the Public Frontage which accommodates street trees. Planters may be continuous or individual.

**Playground:** an Open Space designed and equipped for children's recreation. See Table 13.

**Plaza:** a Civic Space type designed for Civic purposes and Commercial activities in the more urban Transect Zones (T4 and T5), generally paved and spatially defined by building Frontages. See Table 13.

**Principal Building:** the largest building on a Lot. See Table 17.

Principal Entrance: the main point of access for pedestrians into a building.

Principal Facade: the Façade containing the Principal Entrance and facing the Principal Frontage.

**Principal Frontage:** the same as the Frontage, except on Lots having more than one Frontage where the Principal Frontage is the Frontage with the shortest Frontage Line. See **Frontage**.

**Principal Frontage Line:** the Frontage Line along the Principal Frontage.

**Private Frontage:** the privately held Layer between the Frontage Line and the line of the exterior wall of the Principal Building extended to the side Lot Lines. See Tables 7 and 17.

**Private Outdoor Living Space:** the minimum amount of private open area required by Table 9b associated with each unit provided as outdoor yard areas, patios, decks, and balconies, but excluding stairs, entrance decks, and/or landings. See Table 17j.

Public Frontage: the area between the Curb of the Vehicular Lanes and the Frontage Line. See Tables 4A and 4B.

**Public Realm:** the physical and social domain of the public that is held in common either by their physical presence or by visual association. This includes, but is not limited to Plazas, Squares, Parks, Thoroughfares, Public Frontages, Private Frontages, Civic Buildings and Civic Spaces.

**Rear Alley (RA):** a vehicular way located to the rear of Lots providing a location for utility easements and access to service areas, parking, and Outbuildings paved with a ribbon curb at the outer edge. (Syn: alley.)

**Rear Lane (RL):** a vehicular way located to the rear of Lots providing a location for utility easements and access to service areas, parking and Outbuildings paved with a ribbon curb at the edge of the pavement, and compacted gravel or similar suitable material placed on the outer edges.

**Rearyard Building:** a building that occupies the full Frontage Line, leaving the rear of the Lot as the sole yard. See Table 9. (Var: Rowhouse, Townhouse, Apartment House)

Regional Plan: the Flagstaff Area Regional Land Use and Transportation Plan, as amended.

**Regulating Plan:** a set of maps that shows the Transect Zones, Civic Zones, Special Districts, and Special Requirements for areas subject to, or potentially subject to, regulation by a Form-based Code for a Traditional Neighborhood District. It may also show street and public open spaces, and designate where various building form standards (based on intensity of urbanism) for building placement, design, and use will apply. The Regulating Plan graphically shows, applies, and places the regulations and standards established in a Form-based Code for a Traditional Neighborhood development.

**Residential:** premises available for long-term human dwelling. For purposes of this definition, "long-term" is a minimum of 30 days.

Retail: premises available for the sale of merchandise and food service (i.e., restaurants). See Tables 10 and 12.

**Retail Frontage:** Frontage Lines designated on a Community Plan that requires or recommends the provision of a Shopfront, encouraging the ground level to be available for Retail use. See **Special Requirements.** 

**Right-of-Way:** the strip of land dedicated to public use for pedestrian and vehicular movement, which may also accommodate public utilities. This strip of land is either publicly owned or subject to an easement for Right-of-Way purposes benefiting the general public.

**Road** (**RD**): a local, rural, or suburban Thoroughfare for low vehicular speed and capacity. This Thoroughfare type is allocated to the more rural Transect Zones (T1-T3). See Table 3A.

Route: See Bicycle Route (BR).

**Rowhouse:** a single-family dwelling that shares a party wall with another of the same type and occupies the full Frontage line. See **Rearyard Building**. (Syn: **Townhouse**.)

**Secondary Frontage:** on corner Lots, the Frontage that is not the Principal Frontage. See Table 17.

**Setback:** the area of a Lot measured from the Lot line to a building Facade or Elevation that must be maintained clear of permanent structures with the exception of Encroachments specifically permitted by Chapter 17 or a site's Form-based Code. See Table 14g and Section 5.7 of the SmartCode. (Var. build-to line)

Shared Parking Factor: an accounting for parking spaces that are available to more than one Use. See Table 11.

**Shopfront:** a Private Frontage, typically for Retail Use with substantial glazing and an awning, where the Façade is aligned close to the Frontage line with the building entrance at the level of the Sidewalk. See Table 7.

Sidewalk: the paved section of the Public or Private Frontage dedicated exclusively to pedestrian activity.

**Sideyard Building:** a building that occupies one side of the Lot with a Setback to the other side. This type of building can be a single- or twin-building depending on whether it abuts the neighboring house. See Table 9.

**Smart Growth:** is well planned compact development that revitalizes neighborhoods, protects natural resources and Open Space, keeps housing affordable, and provides more transportation choices. It is sustainable and efficient development that is good for the environment, community and economy. (Modified definition from the Smart Growth Network).

**SmartCode:** a model unified land development ordinance for planning and urban design that incorporates Smart Growth and New Urbanism principles, Transect-based planning, environmental and zoning regulations, and regional, community and building-scaled design outcomes. It is a tool that guides the form of the built environment to resemble that of traditional neighborhoods, towns and villages. This form is compact, walkable, and Mixed Use, and it is meant to be comfortable, safe and ecologically sustainable. As used in this Chapter, the term "SmartCode" refers to the latest published version of this document. The use of the SmartCode and the images and diagrams appearing within it are used with the permission of Duany Plater-Zyberk & Company LLC.

**Special District (SD):** an area that by its intrinsic Use, Placement, or Configuration, cannot or should not conform to one or more of the normative Community types or Transect Zones specified in Chapter 17. Special Districts may be mapped and regulated at a regional or community scale, and may include large parks, institutional campuses, refinery sites, airports, etc.

**Special Requirements:** provisions of Section 3.9 and Section 4.8 of Chapter 17, and the provisions of the Special Requirements section of the SmartCode, and/or the associated designations on a Regulating Plan or other map for those provisions.

Specialized Building: a building that cannot be classified as Residential, Commercial or Lodging. See Table 9.

Square: an Open Space available for unstructured recreation and Civic purposes. See Table 13.

**Standard Pedestrian Shed:** a Pedestrian Shed that is an average ½ mile radius or 1,320 feet, which is about the distance of a five-minute walk at a leisurely pace. See **Pedestrian Shed**.

**Stoop:** a Private Frontage where the Façade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy, and with an exterior stair and landing at the entrance. See Table 7.

**Story:** a habitable level within a building of no more than 14 feet in height from finished floor to finished ceiling, excluding the Attic, but including a raised basement.

Street (ST): a local urban Thoroughfare for low vehicular speed and capacity. See Tables 3B and 4B.

**Streetscreen:** a freestanding wall built along the Frontage Line, or parallel with the Façade. It may mask a parking lot from the Thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the Public Realm. (Syn: streetwall.)

**T-Zone:** Transect Zone.

**Terminated Vista:** a location at the axial conclusion of a Thoroughfare. A building located at a Terminated Vista designated on a New or Infill Community Plan is required or recommended to be designed in response to the axis.

**Third Place:** a private building that includes a space conducive to unstructured social gathering. Third Places are usually bars, cafés, and corner stores.

**Thoroughfare:** a way for use by vehicular and pedestrian traffic that provides access to Lots and Open Spaces, and that incorporates Vehicular Lanes and the Public Frontage. See Tables 3A, 3B and 17a.

**TOD:** Transit Oriented Development. TOD is created by an overlay on all or part of an Infill Traditional Neighborhood permitting increased Density to support rail or Bus Rapid Transit (BRT) as set forth in the SmartCode.

**Townhouse:** See **Rearyard Building**. (Syn: **Rowhouse**.)

**Traditional Neighborhood:** a comprehensive and compact Mixed Use development pattern based on the land development principles that guided the first settlements, towns and cities of the United States and that is an alternative to typical post-World War II suburban, use-segregated developments. Traditional Neighborhoods include a variety of housing types and land uses in a defined area. The variety of uses permits educational facilities, Civic buildings, and Commercial Uses to be located within walking distance of private residences. A Traditional Neighborhood is typically served by a network of Paths, Trails, streets and lanes suitable for pedestrians as well as vehicles that provide residents with the option of walking, biking or driving to places within their neighborhood. In a Traditional Neighborhood public and private space have equal importance. The inclusion of Civic Spaces and Civic Buildings enhances community identify and value. See also Appendix C.

Trail: See Bicycle Trail (BT).

**Transect:** a cross-section of the environment showing a range of different habitats. The rural-to-urban Transect of the human environment used in Chapter 17 and the SmartCode template is divided into six Transect Zones that range from the most natural to the most urban. These zones describe the physical form and character of a place according to the Density and intensity of its land use and Urbanism.

**Transect Zone (T-Zone):** one of several areas on a Zoning Map regulated by Chapter 17 and the SmartCode. Transect Zones or "T"-zones are ordered from the most natural to the most urban as illustrated in Table 17l. Chapter 10-17 and the SmartCode are based upon six (6) Transect Zones which describe the physical character of place at any scale according to the density and intensity of Urbanism. Transect Zones are administratively similar to the land-use zones in conventional codes, except that in addition to the usual building use, Density, height, and Setback requirements, other elements of the intended habitat are integrated, including those of the private Lot and building and the Public Frontage. The Transect Zones are:

- a. **T1 Natural Zone** consists of lands approximating or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation.
- b. **T2 Rural Zone** consists of sparsely settled lands in open or cultivated state. These include woodland, grasslands, Parks and Open Space areas. Typical buildings are farmhouses, agricultural buildings or cabins.
- c. **T3 Sub-Urban Zone** consists of low-density residential areas, adjacent to higher density zones that include some mixed use. Home occupations and outbuildings are allowed. Planting is naturalistic and Setbacks are relatively deep. Blocks may be large and the roads irregular to accommodate natural conditions.
- d. **T4 General Urban Zone** consists of Mixed Use but primarily Residential Urban fabric. It may have a wide range of building types, such as single-family, Sideyard buildings, and Rowhouses. Setbacks and landscaping are variable. Streets with Curbs and Sidewalks define medium-sized Blocks.
- e. **T5 Urban Center Zone** consists of higher Density Mixed Use buildings that accommodate Retail, Offices, Rowhouses and multi-family buildings. It has a tight network of streets and small Blocks, with wide Sidewalks, regularly spaced street planting, and buildings set close to the Sidewalks.
- f. **T6 Urban Core Zone** consists of the highest Density and height, with the greatest variety of Uses, and Civic buildings of regional importance. It may have larger Blocks, and streets have regularly spaced tree planting with buildings set close to the wide Sidewalks. The T6 Urban Core is typically associated with Downtown Flagstaff, thus this Transect Zone would not be applied in other locations within the City. (See Table 171)
- g. **Special Districts** consist of areas with buildings that by their Use, Placement or Configuration cannot, or should not, conform to one or more of the six normative Transect Zones.

**Turning Radius:** the curved edge of a Thoroughfare at an intersection measured at the inside edge of the track of a vehicle. The smaller the Turning Radius, the smaller the pedestrian crossing distance, and the more slowly the vehicle is forced to make the turn.

**Twin House:** a Residential building type created when two SideYard Houses are placed adjacent to each other. See Table 9A. (Syn: double house.)

**Understory:** the unfinished space between the lowest finish floor of a building and natural grade. (Syn: crawl space.)

Urban: See Urbanism or Urbanized.

**Urbanism:** collective term for the condition of a compact Mixed Use settlement, including the physical form of its development and its environmental, functional, economic, and socio-cultural aspects.

**Urbanized:** generally, developed. In Chapter 17 of this Code and the SmartCode, the term applies to Transect Zones T3 (Sub-Urban) or higher.

Use: The same as "Function" in the SmartCode, i.e. the Uses accommodated by a building or Lot.

**Variance:** a grant of relief from the provisions of an ordinance section where there are practical difficulties or unnecessary hardships as defined in ARS §9-462.06. Variances shall be heard only by the Board of Adjustment in accordance with the procedures established in Section 10-10-004-0005.

**Vehicular Lanes:** the lanes providing traffic and parking capacity within a Thoroughfare. They usually consist of marked lanes in a variety of widths for parked and for moving vehicles.

**Work-Live:** a Mixed Use unit consisting of a Commercial and Residential Use. It typically has a substantial Commercial component that may accommodate employees and walk-in trade. The unit is intended to function predominantly as work space with incidental Residential accommodations for the owner, caretaker or an employee of the business that meet basic habitability requirements. See **Live-Work**. (Syn: Live-With.)

**Yield:** a Thoroughfare type that has two-way traffic but only one effective travel lane because of parked cars, necessitating slow movement and driver negotiation.

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